



DATE: December 22, 2016

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Brett Bayag, Acting Director, Office of Regional Communications and Technology

FROM: Lygia Torres, Program Manager, Office of Regional Communications and Technology

PROJECT TITLE: Only Reasonable Source Procurement for Local Government Radio System

REQUISITION NO.

SOLE SOURCE/SOLE BRAND REQUEST

I. REQUEST: Provide a description of the features of the product/service or Scope of Work.

On September 23, 2014 Broward County executed an agreement with Control Communications for design and implementation of a 400 MHz Motorola Mototrbo Connect Plus Radio System which would be used by Broward County non Public Safety agencies.

The radio system is a UHF trunked digital cost effective solution that will reduce radio traffic overload in the existing 800 MHz system.

On June 15, 2016, ORCAT sent a Partial Rejection to Final Acceptance letter to Control indicating all the issues that were not complying with the agreement specifications. On June 24, 2016, Control Communications filed for bankruptcy. On July 14, 2016, Control replied to the Partial rejection letter disagreeing with all the issues. Following these events, Motorola removed Control Communications' Channel Partner Status, meaning they are no longer authorized to do Motorola repair, installations or sales.

Due to the chain of events, the CAO bankruptcy attorney recommended Broward County to terminate the contract. Therefore, the Office of Regional Communications and Technology has recommended that a firm perform a baseline study of the system to determine the level of effort to complete the system per the original specifications. Then from the baseline, establish a Scope of Work and determine the estimated cost to complete the project with full manufacturer warranty.

In order to do this, we would need to procure the services of a Motorola authorized channel partner with the expertise to perform such a task. Motorola has recommended the company Radio One. Radio One has extensive experience in implementing Mototurbo systems much more complicated than that of Broward County, such as Disney World's radio systems, at multiple locations all over the Nation.

This is an in-flight project that has been delayed for over a year, and it affects the existing 800 MHz radio system loading capacity. Therefore we are requesting an Only Reasonable Source procurement with Radio One to complete the project with full manufacturer warranty.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

Only Sole Source/ Uniqueness

- Proprietary Item - this vendor/source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."
- Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.
- Other/or Additional information - the County requires this sole source, sole brand purchase for the following reasons:

Recognizing the already delayed status of the project and the overloading effect the Local Government agencies have on the existing 800 MHz Public Safety radio system, the services of a Motorola authorized channel partner with the expertise to perform the task of completing the in-progress Local Government Radio project is required.

Business Case (One/Most Reasonable Source or One/Most Reasonable Brand)

- Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- Complies with existing community and safety standards, and/or laws, rules, and regulations.
- Exempted from the Procurement Code - per Section 21.18 of Broward County Administrative Code.
- Other/or additional information - using this sole source, sole brand purchase benefits the County for the following reasons:

The Only Reasonable Source procurement will benefit the County by preventing any further delay in the migration of the Local Government agencies onto the new system from the already overloaded 800 MHz Public Safety Radio System, while completing the in-progress project to implement the system under full manufacturer warranty.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: \$701,670.25 Contract length (if applicable):

Expenses to date: \$636,939.25

Has this commodity or service been previously provided to the County? Yes No

If yes, when and by whom? Control Communications in agreement executed on September 23,2014

How was item/service procured? Competitive bid

What is the current contract (MA) or purchase order number? R1147317P1

If this is a sole brand, is there an "authorized" dealers list? Yes No

Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source. Attach additional sheets if needed.

By using the Motorola recommended Channel Partner Radio One, instead of procuring through an RFP, we will save time in completing the in-progress installation, and will expeditiously complete the remaining work to implement and accept the system, of the which directly affects equipment and subscriber warranties.

CERTIFICATION: I have thoroughly researched the sole source or sole brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole source contract for commodities or services."

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084"

Lygia Torres

Lygia Torres
Digitally signed by Lygia Torres
DN: cn=Lygia Torres, o=ORCAT, ou=Broward
County, email=ltorres@broward.org, c=US
Date: 2016.08.01 15:24:31 -04'00'

December 22, 2016

REQUESTOR/EVALUATOR (PRINT)

REQUESTOR/EVALUATOR (SIGN)

DATE

Digitally signed by Brett Bayag
DN: cn=Brett Bayag, o=Broward County Board of County
Commissioners, ou=Office of Regional Communications
and Technology, email=bbayag@broward.org, c=US
Date: 2016.08.03 11:28:10 -04'00'

December 22, 2016

DEPT/DIV DIRECTOR OR
DESIGNEE (PRINT)

DEPT/DIV DIRECTOR OR DESIGNEE
(SIGN)

DATE

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.34 and 21.35. The Purchasing Agent recommends the following:

- Sole Source
- Sole Brand
- Reasonable Source
- RFI attached
- Rejected
- Request Authorization to Negotiate

Additional Information:

Request to negotiate a two-party agreement between Broward County and Radio One - Communications Service Co. to upgrade and complete Broward County's existing four site and new fifth site Motorola MOTOTRBO Connect Plus Local Government Radio System and a One Year Support Plan upon Final Acceptance in the estimated amount of \$465,000. An Agenda Item will be taken to the Board for approval of the anticipated agreement.

Attachment 1 - Motorola's Recommendation Letter received on January 11, 2017

Purchasing Agent Signature: **LEAHANN
LICATA**

Digitally signed by LEAHANN LICATA
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=LEAHANN LICATA
Date: 2017.01.12 14:17:10 -05'00'

Date: January 12, 2017

KAREN
WALBRIDGE

Digitally signed by KAREN WALBRIDGE
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=KAREN WALBRIDGE
Date: 2017.01.26 11:34:53 -05'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature:

**BRENDA
BILLINGSLEY**

Digitally signed by BRENDA BILLINGSLEY
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=BRENDA BILLINGSLEY
Date: 2017.02.07 17:05:05 -05'00'

Date:



Address Reply To:
8000 W Sunrise
Plantation, FL 33322
(954) 723-4718 Phone
(954) 723-4791 Fax

Ms. Lygia Torres, PE
Program Manager, Radio System
Broward County Office of Regional Communications & Technology
115 S. Andrews Avenue, Room 325
Fort Lauderdale, FL 33301

Dear Ms. Torres:

Please be advised that RadioOne - Communications Service Company, headquartered at 7041 Grand National Drive, Suite 116, Orlando, FL 32819 with branch offices located in Boca Raton and Miami Florida, has been an authorized Motorola Solutions dealer since April 1, 1990. As such, RadioOne is authorized to resell Motorola's MOTOTRBO product line as well as the ability to perform the associated installation, warranty repairs and maintenance. This is evidenced by RadioOne's following credentials:

- ❖ Motorola Elite Specialist Platinum Channel Partner
- ❖ Motorola Service Specialist Service Partner
- ❖ Motorola US Federal Government Authorized Channel Partner
- ❖ Motorola Empower Circle Award Winner five years in a row (this distinction is awarded to the top 50 Motorola channel partners worldwide)

RadioOne has extensive experience with the design, implementation and support for large multi site MOTOTRBO trunked digital radio systems. For example, RadioOne sold, designed, implemented and supports a multi site multi state MOTOTRBO Linked Capacity Plus network for Walt Disney Parks & Resorts US. Given RadioOne's "earned" credentials and the fact that they have sold, implemented and supported many MOTOTRBO systems, some much more complicated than Broward County's Local Government Radio System design, we would recommend the County to work with them for the completion/expansion of that system. Motorola has authorized RadioOne to provide ongoing services to maintain the system under full manufacturer warranty. Should you have any questions, please feel free to contact me anytime.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Balchune', with a small 'DK' mark to the right.

Joe Balchune
MSSI Vice President Channel Sales
Motorola Solutions, Inc.
Cell: 954-594-0461
Email: Joseph.balchune@motorolasolutions.com

Cc: Kim Camps, MSI Account Manager
Dan Kimpe, MSI Customer Support Manager

JB / dk