



DATE: June 10, 2016

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Robert J. Flint, Director of Operations

FROM: Arnold De La Cruz, Container Crane Maintenance Manager

PROJECT TITLE: SP 1 thru 7 Crane Management System Upgrade / P-2 Crane Control System Upgrade

REQUISITION NO. CRPS-WD-004

SOLE SOURCE/SOLE BRAND REQUEST

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

Attached is Crane Section Purchase Requisition No. CRPS-WD-004 to TMEIC Corporation in the amount of \$267,750.00 for upgrading the TMEIC Crane Management Systems on all of the Port's ship to shore cranes and to upgrade the PLC on the P-2 crane.

The CMS are an essential component of the crane's diagnostics and trouble-shooting system. The current CMS are old and obsolete. The units have exceeded their life expectancy and require upgrading.

TMEIC Corporation was called as the OEM's only source for purchasing, service, engineering and software/code configuration. Substitutes from other vendors are not compatible with the system.

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:

See above.

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:

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: \$267,750.00 Contract length (if applicable): N/A

Expenses to date: N/A

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

If yes, when and by whom? TMEIC

How was item/service procured? Sole brand and sole source

What is the current contract (MA) or purchase order number? N/A

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.

The required parts, service, engineering, and software code can only be obtained through the specified vendor.

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"

Arnold De La Cruz	ARNOLD DELACRUZ	<small>Digitally signed by ARNOLD DELACRUZ DN: dc=city, dc=broward, do=bc, ou=Organization, ou=PEV, ou=Users, cn=ARNOLD DELACRUZ Date: 2016.06.13 15:11:51 -0400</small>	June 13, 2016
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
ROBERT FLINT			06/13/2016
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:

TMEIC is the manufacturer/developer of the required hardware and software.
 Comments from Purchasing Review:
 After reviewing the facts, this is arguably a reasonable source request.
 Due to this business case, it would be impracticable and infeasible to use another vendor for this purchase.

Purchasing Agent Signature: Kevin Cheerangie Digitally signed by Kevin Cheerangie
DN: cn=Kevin Cheerangie, o=Broward
County, ou=Purchasing Division,
email=pcheerangie@broward.org, c=US
Date: 2016.06.16 09:33:21 -0400 Date: 6-15-16

Reviewed by: CARLA BYRD Digitally signed by CARLA BYRD
DN: dc=city, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU, ou=Users,
cn=CARLA BYRD
Date: 2016.06.20 12:42:58 -0400 **APPROVAL AUTHORITY**
 REASON/SUGGESTED ACTION (IF DISAPPROVED):

Brenda J. Billingsley Digitally signed by Brenda J. Billingsley
DN: cn=Brenda J. Billingsley, o=Broward County,
ou=Purchasing Division,
email=bbillingsley@broward.org, c=US
Date: 2016.06.24 15:32:07 -0400 Signature: Date: