



DATE: August 22, 2017

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Martha Perez-Garviso

FROM: Jennifer Jurado, PhD, Director, Environmental Planning and Community Resilience Division

PROJECT TITLE: Coordination & Facilitation Services for the SE FL Regional Climate Change Compact

REQUISITION NO. ENV0000151

SOLE SOURCE/SOLE BRAND REQUEST

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

See Exhibit 2, Draft Statement of Work for ISC Support for the Southeast Florida Regional Climate Change Compact.

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:

ISC Director of Urban Resilience Steve Adams has been associated with the Compact since its inception in 2009, and the Institute for Sustainable Communities has been working with the Compact since Mr. Adams joined the organization in 2011.

No other organization could begin working with the Compact at this point and possess the staff resources and institutional knowledge of the Institute for Sustainable Communities. See Exhibit 1 for more information.

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:

See Exhibit 1.

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: \$150,000 (3 years) Contract length (if applicable): 3 years

Expenses to date: n/a

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

If yes, when and by whom? Institute for Sustainable Communities

How was item/service procured? Sole source

What is the current contract (MA) or purchase order number? n/a - handled by EPCRD

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.

See Exhibit 1.

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"

Jason Liechty	JASON LIECHTY	<small>Digitally signed by JASON LIECHTY DN: dc=city, dc=broward, dc=bc, ou=Organization, ou=BCC, ou=EPGM, ou=NRPM, ou=Users, cn=JASON LIECHTY Date: 2017.07.27 14:44:26 -04'00'</small>	July 27, 2017
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Jennifer Jurado, PhD	JENNIFER JURADO	<small>Digitally signed by JENNIFER JURADO Date: 2017.07.27 14:55:16 -04'00'</small>	July 27, 2017
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:

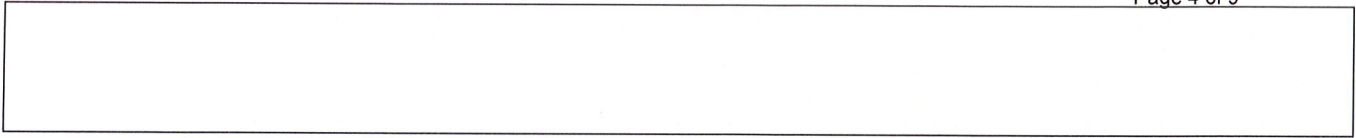
The Environmental Planning and Community Resilience Division (EPCRD) is requesting a sole source/sole brand designation of the Institute for Sustainable Communities (ISC). Broward County, Florida is a member of the Southeast Florida Regional Climate Change Compact (Compact). The Compact works on regional climate mitigation and adaptation efforts. A sole source agreement with ISC was approved by the County on July 8, 2016 which covered calendar years 2016 and 2017, and a prior two-year sole source agreement with ISC was approved by the Director of Purchasing on April 26, 2012.

In 2016, Broward County agreed to serve as the fiscal agent for the four (4) Compact Counties: Broward County, Miami-Dade County, Monroe County, and Palm Beach County. The proposed new agreement will include: Secretariat Services for the Regional Compact, Implementation support for the Regional Climate Action Plan (RCAP), Compact Communications Support with quarterly narrative report and ISC accounting of staff time and expenses. The Kresge Foundation is currently considering renewal of the current grant upon expiry on December 31, 2017 for \$600,000 over three years (2018, 2019, and 2020) for the work provided by ISC. The County's portion of the cost for this agreement will be \$50,000 of the total \$200,000 per year needed from the Compact members.

While there may be other consultants who could perform this work, ISC has valuable knowledge and experience dealing with the individuals, issues, priorities, and processes relating to the Compact history requirements and progress. Selecting, implementing and familiarizing another consultant would take a lot of time and resources. The Purchasing Agent recommends approval of the only one reasonable source designation of ISC to act as Fiscal Agent for the other Compact members to provide their contributions to Broward County and streamline contract administration with ISC.

Purchasing Agent Signature: **JACQUELINE CHAPMAN** Digitally signed by JACQUELINE CHAPMAN
DN: dc=city, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU, ou=Users,
cn=JACQUELINE CHAPMAN
Date: 2017.08.25 15:20:00 -04'00' Date: August 25, 2017

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):



Signature:

**MARTHA PEREZ-
GARVISO**

Digitally signed by MARTHA PEREZ-GARVISO
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=MARTHA PEREZ-GARVISO
Date: 2017.09.15 12:40:14 -04'00'

Date:

Sept. 15, 2017



Environmental Protection and Growth Management Department
ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION
115 S. Andrews Avenue, Room 329H • Fort Lauderdale, Florida 33301 • 954-519-1270 • FAX 954-519-1496

Exhibit 1

The Environmental Planning and Community Resilience Division (EPCRD) requests approval for a sole source agreement with the Institute for Sustainable Communities (ISC) for coordination and facilitation services in support of the Southeast Florida Regional Climate Change Compact (Compact). A sole source agreement with the Institute for Sustainable Communities was granted in 2016 for coordination and facilitation services for the Compact, and the County Commission approved an agreement with ISC a few months later which covers calendar years 2016 and 2017.

The Compact represents the collaborative efforts of Broward, Miami-Dade, Monroe, and Palm Beach counties to partner in regional climate mitigation and adaptation efforts, which began in late 2009/early 2010 and have grown in scope and complexity ever since. Approval of this sole source request will support the continuing activities under the Compact and the coordination efforts fundamental to the successful functioning of the Compact Staff Steering Committee and Compact efforts in general.

In delivery of these services and requisite advancement of the Compact, the Compact partners seek to retain the services of the Institute for Sustainable Communities (ISC), in particular the involvement of Mr. Steve Adams, ISC's Director of Urban Resilience. Mr. Adams has been an important figure in the creation and advancement of the Compact since its inception in 2009, having helped to cultivate this regional collaboration in his original capacity with the State's Energy Office and then through then through the Climate Leadership Initiative at the University of Oregon. For over eight years, Mr. Adams has worked closely with the Compact partners in all aspects of the Compact process, coordinating and facilitating meetings of the Compact Staff Steering Committee; facilitating workshops with stakeholders; preparing a four-county regional greenhouse gas emissions inventory and assessment; participating in the planning and execution of each of the seven annual Regional Climate Leadership Summits convened to date; creating and managing the Compact website; developing the Regional Climate Action Plan; coordinating the Resilient Redesign adaptation strategy charrettes; writing and editing grant proposals; and participating in many other activities. Mr. Adams is intimately familiar with the individuals, issues, priorities, and processes relating to Compact history, progress, and needs. He has served as a valued advisor and vital mediator. His contributions and effective leadership have helped to guide the Compact process and are acknowledged by the Compact partners to be essential to the continued implementation of the Compact and Regional Climate Action Plan, and the 2017 update of the Regional Climate Action Plan currently underway.

Furthermore, Mr. Adams has been assisted for three years by Nancy Schneider, Senior Program Officer with ISC, in the delivery of coordination and facilitation services supporting the Compact. In addition to assisting Mr. Adams with many of the tasks described above, Ms. Schneider—who is based in Florida and is assigned full time to support the Compact—has played a key role in coordinating RCAP implementation workshops, including Resilient Redesign; conducting a municipal implementation survey; and facilitating communication among

Compact partners. Other ISC staff have also provided remote and on-site support for various Compact activities, including the provision of a webinar platform for Compact use and development and maintenance of the Compact website.

In addition to the sole source agreement approved last year covering calendar years 2016 and 2017, a prior sole source agreement was granted to ISC in 2012 to enable Compact support of the climate resiliency planning efforts which occurred under the US Department of Housing and Urban Development (HUD) Southeast Florida Sustainable Communities Initiative Regional Planning Grant, which was awarded to the South Florida Regional Planning Council and the Treasure Coast Regional Planning Council for the seven-county regional planning effort known as Seven50.

ISC support of Compact activities was delivered from 2013 through 2015 under a \$975,000 grant from the Kresge Foundation. The Kresge Foundation renewed support for ISC's Compact-related work in 2016 and 2017, but at a lower amount, \$400,000 over two years. The four Compact Counties agreed in 2015 to each appropriate \$50,000 annually for Compact activities, and those sums were allocated in each County's FY 2016 and 2017 budgets (and will continue to be funded in FY 2018, FY 2019, and FY 2020).

In 2016, Broward County agreed to serve as the fiscal agent for the other three Compact counties to contract with the Institute for Sustainable Communities for an agreement covering calendar years 2016 and 2017, supported by a total of \$200,000 per year from the appropriated funds described above. This financing arrangement by the Compact Counties was formalized in an interlocal agreement approved by all four County Commissions in 2016.

When combined with the Kresge Foundation funds, the total two-year budget for ISC's Compact activities for 2016 and 2017 is approximately \$800,000 (\$400,000 per year).

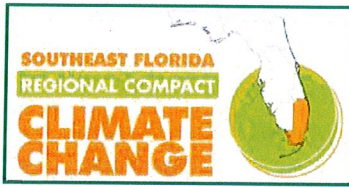
To continue this working arrangement, the Compact Counties are pursuing a new interlocal agreement for 2018-2020 whereby each county will again contribute \$50,000 annually towards a new ISC agreement administered by Broward County.

Because continued support by the Kresge Foundation of ISC's work with the Compact is not yet certain, ISC has proposed an annual budget of \$200,000 for its core Compact-Counties-funded work. A draft scope of work for a 2018-2020 agreement with the Institute for Sustainable Communities is attached. Further negotiations will take place between the Compact partners and ISC before the scope of work is finalized.

Approval of this sole source agreement will provide the simplest means for the other counties to provide their contributions and will streamline contract administration for ISC.

Should additional Kresge Foundation funding materialize, this funding will be used for additional projects outside the scope of the ISC agreement with Broward County funded with Compact Counties funds and will not need to be officially approved or administered in any way by Broward County.

The Division requests concurrence with identification of the Institute for Sustainable Communities as a sole source provider for these services. Please feel free to contact Dr. Jennifer Jurado at 954-519-1464 with any questions.



Support for the Southeast Florida Regional Climate Change Compact

Draft Statement of Work for 2018 - 2020 | July, 2017

The Institute for Sustainable Communities (ISC) is pleased to submit this draft Statement of Work for support of the Southeast Florida Regional Climate Change Compact. Since inception, the Compact has enjoyed grant funding from the Kresge Foundation. Over the past two-year period, Kresge grant funds of \$200,000 per year to ISC enabled a \$400,000 annual operating budget for Compact operations. The Kresge Foundation is currently considering whether to renew the current grant upon expiry on December 31, 2017, but ISC does not yet know what the outcome of that decision will be. Accordingly, this draft document covers only the priority tasks identified by the Compact's Staff Steering Committee (SSC) that can be supported by \$200,000 in county-appropriated funds for calendar years 2018, 2019, and 2020.

Task 1: Provide Secretariat Services for the Regional Compact

Task 1.1: Bi-weekly Staff Steering Committee Call Support

Representative tasks include: identifying key strategic and management issues for the ongoing success of the Compact, developing the bi-weekly agenda in partnership with the SSC, compilation of hot topics, communications by Compact partners, and requests for Compact support/engagement

Task 1.2: Biennial (2x annually) Staff Steering Committee Retreats

Representative tasks include: identifying key strategic and management issues for the ongoing success of the Compact; providing strategic advice to the SSC; developing the retreat agenda in partnership with the SSC.

Task 1.3: General Compact Support – Priority Tasks:

Representative tasks include: Short and longer-term tasks as prioritized and assigned by the Staff Steering Committee on an annual basis with the ability to make adjustments on a quarterly basis as issues, challenges, and opportunities arise in furthering the interests of the Compact partners.

Task 1.4: Annual Summit Support

Representative tasks include: participating on Summit planning team calls; assistance in developing Summit themes, panels and deliverables; assistance in identifying and securing speakers; travel to and participation in the summit.

Task 1.5: General Fundraising Support

Representative tasks include: Identification of new grant resources for the Compact (federal, state or private philanthropy) and coordinating the development of proposals and budgets in partnership with the Staff Steering Committee

Task 2: Provide implementation support for the RCAP 2.0

Task 2.1: RCAP Implementation Workshops (two per year)

Representative tasks include: Workshop and agenda design; logistics management; production of resulting implementation guidance materials for the Compact website

Task 3: Compact Communications Support

Task 3.1: Compact Website & Compact Currents

Representative tasks include: Providing ongoing support and maintenance to the Compact website; developing new content and pages on the Compact site; developing and delivering the Compact’s quarterly e-newsletter.

Deliverables

ISC proposes to provide a quarterly narrative report detailing activities across these three key tasks, including an ISC accounting of staff time and expenses, for review and approval by the SSC.

Budget and Narrative

ISC is requesting \$200,000 in funding per year for three years from the four counties in order to support the Compact process. described in the budget detailed by deliverable in the following pages – the following table provides an estimated billing schedule by deliverable:

Calendar Year 2018			
Q1 (JFM)	Q2 (AMJ)	Q3 (JAS)	Q4 (OND)
\$50,000	\$50,000	\$50,000	\$50,000
Calendar Year 2019			
Q1 (JFM)	Q2 (AMJ)	Q3 (JAS)	Q4 (OND)
\$50,000	\$50,000	\$50,000	\$50,000
Calendar Year 2020			
Q1 (JFM)	Q2 (AMJ)	Q3 (JAS)	Q4 (OND)
\$50,000	\$50,000	\$50,000	\$50,000
			\$600,000

Exhibit 2

Personnel and Fringe Benefits—salaries are budgeted as gross wages and reflect current or comparable rates from ISC’s current projects. ISC fringe benefits are based on each employee’s salary, timesheet allocations, and its NICRA (included as Attachment A), which is approved by USAID, ISC’s cognizant audit agency.

Travel—ISC requires travelers to take reasonable steps to lower travel costs and air travel is based on economy or coach class fares. ISC pays for actual hotel costs and provides per diem rates for meals and incidental expenses that do not exceed US Government rates.

Other Direct Costs—ISC’s estimates include communication and photocopying expenses and a portion of ISC’s A-133 audit expense, which have been budgeted as this program’s costs as a percentage of ISC’s overall program budget.

Indirect Costs— ISC’s indirect cost calculation methodology uses a modified total direct cost base consisting of total direct costs, less grant agreement amounts that exceed \$25,000. ISC’s NICRA (included as Attachment A) is currently 25 percent of its modified total direct cost base.

