



DATE: November 17, 2017

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: John Bruno, CIO

FROM: Carlos Alvarado, Information Systems Administrator, Enterprise Technology Services

PROJECT TITLE: Micro Focus Server/Compiler for COBOL

REQUISITION NO. ETS0000679

SOLE SOURCE/SOLE BRAND REQUEST

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

The Micro Focus COBOL Server and compiler tool is necessary for the ETS Cyborg team to efficiently manage the County's current Payroll/Human Resources/Position Control system which is used for processing bi-weekly employee payroll transactions. Continued maintenance of this product is of major importance, especially as the County makes plans to transition to the ERP Human Capital System. County has been licensed to use this product since 1997 which includes a number of generational upgrades. The compiler is used on a daily basis in the development of application source code allowing the County provide in-house maintenance, new enhancements and troubleshooting of Cyborg issues.

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:

Our current Cyborg payroll system is supported by Micro Focus. The County anticipates a move from the Cyborg Payroll system to ERP HCM; eliminating the need for continued use of the Micro Focus product. It is estimated that the move to HCM will take place within the next five years.

As the sole proprietor of the Micro Focus support programs, it is understood that there are authorized resellers of the Micro Focus compiler. However, we feel that a direct relationship with the sole proprietor is beneficial to the County during the interim period in order to leverage the advantage in the relationship that we currently have with Micro Focus. Therefore, we are requesting approval of this Only Reasonable Source

procurement continuing use of this product until the sunset of the Cyborg payroll system.

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:

Micro Focus COBOL is required for this maintenance purchase as this software is the only product that is certified by our payroll vendor, SumTotal Systems, Inc., to compile application source code, and allow the County to maintain our current support and provide for required changes. (Please see the attached information from SumTotal.)

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: \$206,929.51 Contract length (if applicable): 5 years (2+1+1+1)

Expenses to date: \$257,768.46

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

If yes, when and by whom? Currently by Micro Focus

How was item/service procured? Two-party agreement

What is the current contract (MA) or purchase order number? 40380189

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.

Micro Focus is the sole proprietor of this tool and maintains a list of authorized resellers. The County's payroll system is ingrained in this software application; the County has been licensed to use the Micro Focus Server for COBOL and has gone through several generational upgrades since 1997. If the County were to look to use an alternate vendor or source the cost in County resources would be increased significantly along with the need of a minimum of two years for implementation while at the same time causing a severe delay impacting to the implementation of the ERP HCM.

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"

Yvette Capita



Digitally signed by YVETTE
CAPITA
Date: 2018.01.25 11:42:05 -05'00'

January 25, 2018

REQUESTOR/EVALUATOR (PRINT)

REQUESTOR/EVALUATOR (SIGN)

DATE

Carlos R. Alvarado



Digitally signed by calvarado@broward.org
DN: cn=calvarado@broward.org
Date: 2018.01.25 11:50:34 -05'00'

January 25, 2018

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:

Purchasing Agent Signature:



Digitally signed by BERNADETTE
GREEN
DN: dc=city, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=BERNADETTE GREEN
Date: 2018.02.01 17:13:20 -05'00'

Date: 2/1/2018

KAREN
WALBRIDGE

Digitally signed by KAREN WALBRIDGE
DN: dc=city, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=KAREN WALBRIDGE
Date: 2018.02.28 09:57:49 -05'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: BRENDA

BILLINGSLEY

Digitally signed by BRENDA
BILLINGSLEY
DN: dc=city, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=BRENDA BILLINGSLEY
Date: 2018.02.28 14:00:17 -05'00'

Date: