



DATE: March 12, 2018

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Robert J. Flint, Director of Operations

FROM: Arnold De La Cruz, Port Maintenance Manager

PROJECT TITLE: PHOENIX LED FLOODLIGHT FIXTURES FOR PORT CRANES

REQUISITION NO. TBD

SOLE SOURCE/SOLE BRAND REQUEST

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

The Port is requesting a sole brand to procure PHOENIX LED flood light fixtures for all eight of the Port's ship-to-shore container cranes at the Midport and Southport Container Terminals.

The Port, in a effort to benefit from the many cost savings LED technology offers, is replacing the 1000 WATT metal halide lights on the cranes with LED lights. It is estimated that our lighting energy cost will be reduced by 75% and will virtually eliminate the related maintenance costs and need for a spare parts inventory. Most importantly, it will free up labor hours and allow those to be redirected to preventive and corrective maintenance.

As the current metal halide light fixtures have failed over time, each has been replaced by a PHOENIX LED unit. No replacement unit has suffered a failure or required maintenance.

This is a Capital Improvement budget project approved for FY17.

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:

The PHOENIX LED floodlights are specifically designed for marine industrial use, with a specific application for container gantry cranes. The PHOENIX LED lights have been specified by Broward County in the recently Board approved purchase of up to six post-panamax rail mounted container gantry cranes to be manufactured by ZPMC. They are the only proven LED lights for the conditions encountered in a marine environment and have been shown to withstand the constant vibrations experienced by container cranes while in operation. All other LED lights are either of residential or non-marine commercial grade. PHOENIX lighting is standard equipped on all ship-to-shore cranes being manufactured.

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:

PHOENIX lights are the only proven lights for ship-to-shore container cranes. No others are acceptable. There is no tolerance for alternative lights, sub-equivalent or untested product for the vigorous conditions experienced by ship to shore cranes. The cost associated with this project is too significant. With the container cranes often in operation on a 24/7 basis, a great deal of work is performed at night, making having reliable lighting a critical safety element.

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: \$625,000.00

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? 11/02/17 - PHOENIX PRODUCTS CO INC - PEO0000556

How was item/service procured? Sole brand

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.

Using an alternative brand is NOT a feasible or acceptable alternative for reasons stated above.

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: 2018.03.12 14:55:50 -0400</small>	March 12, 2018
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Robert Flint			March 12, 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:

Phoenix **incandescent** lights have been used on the Port's gantry cranes for over a decade and have proven to be reliable in all weather conditions. The Phoenix **LED** fixtures have been used for several years and have been equally reliable. Additionally, RFI X2114229F1 was posted in June of 2017 in response to a request for sole brand purchase of Phoenix LED lights. Four companies responded with five alternative LED lights, all of which were reviewed by the Port and found to be unacceptable. Solicitation BLD2115228Q1 was then posted and awarded as a (Phoenix) sole brand.

Given that this \$620,000 LED light purchase represents the largest lighting investment the Port has made in over a decade it would not be prudent to allow substitution of alternative/unproven fixtures for the proven Phoenix fixtures.

Purchasing Agent Signature:	Kevin Cheerangie	<small>Digitally signed by Kevin Cheerangie DN: cn=Kevin Cheerangie, o=Broward County, ou=Purchasing Division, email=kcheerangie@broward.org, c=US Date: 2018.05.16 09:28:33 -0400</small>	Date: May 16, 2018
CHRISTINE CALHOUN		<small>Digitally signed by CHRISTINE CALHOUN DN: cn=Christine Calhoun, o=Broward County, ou=Purchasing Division, email=ccalhoun@broward.org, c=US Date: 2018.05.16 09:28:33 -0400</small>	

Reviewed by

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature:	BRENDA BILLINGSLEY	<small>Digitally signed by BRENDA BILLINGSLEY DN: dc=city, dc=broward, dc=bc, ou=Organization, ou=BCC, ou=PU, ou=Users, cn=BRENDA BILLINGSLEY Date: 2018.05.18 15:55:29 -0400</small>	Date:
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