



DATE: March 19, 2019

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Keith A. Wolf, Information Systems Administrator, Enterprise Technology Services

FROM: Del Harper, Information Systems Manager, Enterprise Technology Services

PROJECT TITLE: Oracle Computer Hardware, Oracle Hardware Maintenance, Oracle Software Support

REQUISITION NO. ETS0001347

SOLE SOURCE/SOLE BRAND REQUEST

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

This memorandum is submitted to request Reasonable Source and Sole Brand procurement of Oracle hardware (e.g. servers, interface cards and peripheral Oracle products), Oracle hardware maintenance and renewals, Oracle software and support, and associated Oracle services. ETS seeks a County wide Reasonable Source designation for the County's contracted vendor DLT Solutions. They are one of the largest Oracle resellers and carry the required Platinum level partnership, proving the ability to deliver the highest quality of product knowledge and value-added services to meet the County's 24/7 business critical needs.

Oracle's authorized dealer business model has under gone a major restructuring resulting in a consolidation of vendors. They have reduced the number of public sector resellers authorized to provide hardware maintenance and software support for governmental agencies in the State of Florida. There are now only four large software brokerage houses holding contracts with one of the following organizations; US Communities, National Intergovernmental Purchasing Alliance and The Cooperative Purchasing Network ("TCPN"). All public sector procurements are being, or will be managed through one of the following companies - DLT Solutions, Mythics, Inc., AST Corporation, and BIAS Corporation.

Quasius Investment Corporation - GCA Technology Services has been reselling these products since 2006. Last year Oracle revoked their contract to provide support and maintenance for the County's inventory of Oracle hardware and software and reduced the number of authorized resellers. These Oracle mid-range servers and operating systems remain critical to Oracle database systems, ERP, Posse, CSMS, Cyborg, Performance Budget, Water and Wastewater Services cloud appliances and EPGMD Enterprise GIS system. The useful life of these systems and applications will be from 5 to 10 years or longer as the County continues to upgrade and migrate to newer applications and platforms.

The existing Contract A2115758G1_1 with DLT Solutions (*US Communities 81112000-US-16-ACS DLT*) via the State of Florida Participating Addendum provides for the procurement of Oracle PeopleSoft software, support and other services. We are seeking to procure Oracle hardware and software through an Amendment to this contract allowing the County to take advantage of a certified Platinum reseller currently providing Oracle software support and services. This contract Amendment provides the County with an integrated vehicle for the procurement of Oracle branded servers, software, maintenance and support

We are also seeking a Sole Brand designation (Board level standardization) allowing County agencies the ability to utilize Oracle mid-range servers and software for enterprise applications, including Oracle database systems, ERP, Posse, CSMS, Cyborg, Performance Budget, Water and Wastewater Services Cloud appliances and GIS. The Oracle hardware and software requires Oracle authorized support and maintenance to be in force to remain in compliance with their warranty and licensing policies. Oracle servers are

specifically engineered to execute Oracle Solaris operating systems and have now integrated Oracle database binary code within the base operating system. It is critical that compatible binary code is available in all production, development and training environments for the Oracle platform in order to meet interoperability requirements. Additionally, the County is operating multiple systems using the Oracle Linux operating system.

Any attempts to solicit in the open market would result in the possibility of not getting Oracle branded parts and patches resulting in voiding existing warranties and putting the County's mission critical applications at risk. Failure to obtain support or allowing a lapse in support requires an inspection of the hardware by an Oracle certified Engineer and a \$2,000 reinstatement fee per device. The Oracle Partner Certification should only include the Gold, Platinum or Diamond level partners with the ability to source hardware, hardware maintenance, software support and maintenance renewals. in an expedited fashion.

It is for these reasons that a Reasonable Source and Sole Brand procurement is being requested. The Amendment to the contract would add an additional \$750,000 to the threshold of the existing contract.

Thank you for your attention in this matter, if you have any questions, do not hesitate to contact Del Harper at (954) 357-6628 or via e-mail at dharper@broward.org.

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:

Must be an Oracle Certified reseller to obtain support programs or sell Oracle hardware.
From: Brendon Lee <brendon.lee@oracle.com>
Sent: Tuesday, March 19, 2019 5:06 PM
To: Bajracharya, Sanjay <sbajracharya@broward.org>
Cc: ETSORACLEDBA <ETSORACLEDBA@broward.org>; Harper, Delbert <DHARPER@broward.org>
Subject: RE: Oracle authorized reseller list for hardware and software
As far as Oracle Authorized Resellers go in the State of Florida, on the local level (Cities & Counties) these are the most utilized contracts.
As a customer, you can choose a partner of ours (<https://www.oracle.com/partners/index.html>), but in the grand scheme, said partner would need to utilize an Oracle recognized in the State of Florida.
Generally, most of our customers in Florida, will either go through 4 vendors. **Mythics, DLT, BIAS, AST.** From my experience, each SI is utilized differently within the Oracle realm.
State Contact: US COMMUNITIES (DLT) (MYTHICS)
DLT and Mythics share the state contract for the state of Florida, which is US communities. If a partner of Oracle, such as BIAS, is chosen as a reseller, BIAS still needs to go through DLT for their US Communities purchasing vehicle.
Oracle>DLT>BIAS>BROWARD
<https://www.mythics.com/contracts/us-communities>
<https://www.omniapartners.com/publicsector/contracts/supplier-contracts/dlt-solutions>
National IPA Contract- Formerly TCPN: (DLT) (MYTHICS)

Though not the State Contract, National IPA has used comparable to US Communities.

<https://www.mythics.com/contracts/national-intergovernmental-purchasing-alliance-national-ipa>

<https://www.omniapartners.com/publicsector/contracts/supplier-contracts/dlt-solutions>

Again, this is from the trends within my time working with customers in Florida, and the most utilized contract vehicles as these contracts are already pre-negotiated. There is always the option of going directly through Oracle for support, though that warrants month long processes if the OMA does not include the programs fitted to your needs.

I will provide more vendors, if the need arises, but here is the simplest list of my experience.

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:

DLT Solutions is the contracted vendor for the County's PeopleSoft and Oracle database implementations. As one of the largest Oracle resellers, they are an Oracle Certified Solution and Platinum level partner and are one of the few resellers able to deliver the highest quality of product knowledge and value-added service to their customers. The existing Contract A2115758G1_1 with DLT Solutions provides for the procurement of software, software support and other services for PeopleSoft. Amending this contract with the Reasonable Source reseller - DLT Solutions for the procurement of Oracle Sole Brand hardware (e.g. servers, interface cards and other hardware) and software provides the County with consistent contract terms and conditions, better opportunities for volume discounts and an established Oracle authorized support structure for maintaining warranty and licensing compliance for the County's Oracle products.

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: \$750,000 Contract length (if applicable): Per A2115758G1_1

Expenses to date: \$2,151,000

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

If yes, when and by whom? Quasius Investment Corporation - GCA Technology Services

How was item/service procured? Competitive bid

What is the current contract (MA) or purchase order number? R1392523Q1

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.

ETS believes additional costs were included in contract fulfillment by Quasius Investment (GCA) as they are no longer an authorized reseller of Oracle product and service thus, GCA sought alternate contracts to purchase and resell to the County. The effect of using an alternate technology/vendor versus the Oracle brand of products would entail replacing the entire Oracle Solaris UNIX environment and converting to a new technology solution. This means replacing all the hardware/servers, which at the current capacity/performance levels are approximately valued at \$75,000 per server. The total work effort, licensing and hardware for a complete replacement of the County's Oracle servers requires a multi-year effort of planning, design, training and staff augmentation. The operating systems, applications and associated middle-ware software would have to be re-licensed to conform to the new hardware environments. The Oracle database licensing cost structure would change if it remained the database of choice. Since it is no longer running on its native hardware/operating environment that it has been designed for, performance would be negatively impacted. The time to convert and migrate would take approximately 2-3 Unix FTE's in order to accomplish

the task within 1 to 2 years. UNIX administration and Application support personnel would have to be re-trained in the new technology. The total valuation of the decision to proceed with another vendor and their products would conservatively be estimated between \$550,000 and \$750,000.

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"

Del Harper  Digitally signed by Del Harper Date: 2019.03.20 15:56:06 -04'00' March 20, 2019

REQUESTOR/EVALUATOR (PRINT) REQUESTOR/EVALUATOR (SIGN) DATE

Keith A. Wolf  Digitally signed by KEITH WOLF Date: 2019.03.20 16:13:58 -04'00' March 20, 2019

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:

Agent is in concurrence with this request.

Purchasing Agent Signature: LEAHANN LICATA  Digitally signed by LEAHANN LICATA Date: 2019.04.05 15:40:19 -04'00' Date: April 5, 2019

DAVID CLEMENTE  Digitally signed by DAVID CLEMENTE Date: 2019.04.05 16:29:56 -04'00'

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: GLENN MARCOS  Digitally signed by GLENN MARCOS DN: dc=cty, dc=broward, dc=bc, ou=Organization, ou=BCC, ou=PU, ou=Users, cn=GLENN MARCOS Date: 2019.04.16 14:08:29 -04'00' Date: 4/16/19