



DATE: July 31, 2020
TO: Brenda J. Billingsley, Director, Purchasing Division
THRU: David Clemente, Purchasing Manager, Purchasing Division
FROM: Leahann Licata, Purchasing Agent, Senior, Purchasing Division
PROJECT TITLE: BidSync Sole Source/Sole Brand Standardization Request
REQUISITION NO. N/A

SOLE SOURCE/SOLE BRAND REQUEST

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

In support of the Broward County's Formal Bidding Process, Broward County Procurement Code, Section 21.30. - Competitive Sealed Bidding process, Broward County Purchasing (Purchasing) has been utilizing BidSync through RFP Dept , LLC, d/b/a BidSync, now known as Periscope (BidSync), a Software as a Service (Saas) solutions for on-line bidding since October 16, 2013. BidSync was originally competitively procured through Miami-Dade County and awarded through Miami-Dade County Contract No. EPP-RFP 840, executed February 7, 2013. Broward County's original agreement term was for three years, with two one-year renewal terms. The First Amendment to Supplemental Agreement Adopting the Miami-Dade County Software Licensing, Hosting, Maintenance and Support Agreement was Authorized by the Board on June 5, 2018, Item No. 33, extending the contract through October 15, 2020.

BidSync automates our formal solicitation advertisement of Requests for Qualifications, Bids and Proposals. In line with transparency and accountability, Purchasing strives to assist both Small Business Enterprises and Certified Business Enterprises as well while maintaining access to the largest pool of vendors to supply Broward County the best value and price offerings.

This request is to formally standardize BidSync as the County's on-line bidding solution until the County migrates to the PeopleSoft Enterprise Resource Planning, eProcurement solution.

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:

As described above, Purchasing has been utilizing BidSync since 2013. BidSync has made several updates

to accommodate Broward County's Administrative Code. Migrating to an alternate source will require customization for Broward County, training and testing, amounting to additional costs to the County.

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:

Broward County's Enterprise Resource Platform (ERP), PeopleSoft includes an eProcurement/eSupplier solution. Broward County Purchasing is requesting to continue utilizing BidSync until the County migrates to the PeopleSoft, eProcurement/eSupplier solution.

Per Broward County Procurement Code, Section 21.54. - Standardization. e. The Director of Purchasing may de-standardize any commodity of service, regardless of the source of original standardization, if a determination is made that the commodity or service is no longer required or may be made competitively.

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: \$80,000/year Contract length (if applicable): Annual renewals

Expenses to date: \$535,000

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

If yes, when and by whom? RFPDepot d/b/a BidSync, now known as Periscope

How was item/service procured? Competitive bid

What is the current contract (MA) or purchase order number? N1148214G1

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.

On-Line bidding solutions normally solely charges fees to vendors responding to advertised solicitations. Broward County elected to absorb fees that normally would be charged to County Suppliers eliminating any vendor from being reluctant to respond to County solicitation. Thus supporting the opportunity for all business' to participate on all competitive solicitations advertised by the County meeting Broward County Procurement Code, section 21.53. -Open Competition Required. The Director of Purchasing shall strive to assure that all specifications issued by the County provide for free and open competition among all vendor and preclude a lock-in of any brand or vendor, unless items are purchased under sole source or sole brand provisions.

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"

Leahann Licata,	LEAHANN LICATA	Digitally signed by LEAHANN LICATA Date: 2020.08.13 13:48:17 -04'00'	August 6, 2020
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Brenda J Billingsley	BRENDA BILLINGSLEY	Digitally signed by BRENDA BILLINGSLEY Date: 2020.09.14 13:43:17 -04'00'	9/14/20
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:

This Standardization Request shall allow the County to continue utilizing BidSync until the County's ERP system incorporates eProcurement and eSupplier.

Purchasing Manager's Signature: DAVID CLEMENTE
Digitally signed by DAVID CLEMENTE
Date: 2020.08.13 16:32:01 -04'00' Date: 8/13/20

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: BRENDA BILLINGSLEY
Digitally signed by BRENDA BILLINGSLEY
Date: 2020.09.14 13:42:35 -04'00' Date: 9/14/20