



DATE: January 02, 2020

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Chris Williams, Information Systems Manager, ETS/Libraries IT

FROM: Kelvin Watson, Director, Libraries Division

PROJECT TITLE: Sensource - Thermal Imaging People Counter Licensing and Support

REQUISITION NO. LBD0001474

SOLE SOURCE/SOLE BRAND REQUEST

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

SenSource's Platinum Shield Program support and hardware warranty for the Libraries Division's 70 thermal imaging people counters along with the Veia Core Software which provides reporting capabilities and traffic analytics for all Library entrances. This data must be provided to the State on a regular basis to maintain operations and to receive 'State Aide' funding on a yearly basis. This data is also used internally to make operating decisions and gather statistics for various activities and locations.

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:

This product is a proprietary software and warranty for currently deployed hardware. Changing would require a full replacement of all devices which would be a large undertaking with a large budget attached.

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:

This is for continual support and warranty for currently deployed hardware, along with proprietary software. Changing this solution would require replacement of 70 devices at 36 locations, with a cost of approximately \$1,000 per device.

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: _____ Contract length (if applicable): _____

Expenses to date: \$37,800

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

If yes, when and by whom? SenSource - 8/15/2014

How was item/service procured? Competitive bid

What is the current contract (MA) or purchase order number? A1256404Q1

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.

Utilizing another source would require replacement of 70 devices at 36 locations around Broward County. Each devices would cost approximately \$1,000 and would require installation. An estimate for full replacement of this product would be greater than \$100,000 which is not currently budgeted as the current hardware is operating as designed.

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"

Chris Williams		Digitally signed by CHRISTOPHER A. WILLIAMS Date: 2020.01.03 13:55:06 -05'00'	January 3, 2020
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Kelvin Watson	kelvinwatson@broward.org	Digitally signed by kelvinwatson@broward.org DN: cn=kelvinwatson@broward.org Date: 2020.01.07 12:08:03 -05'00'	January 7, 2020
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 Purchasing Agent concurs and recommends vendor, SenSource, Inc. a (SenSource) s a sole source provider for the SenSource Vea Analytics People Counting software, Vidix People Counter sensors, and continued support and maintenance services.

SenSource has provided a company letter indicating that they are the sole provider of the legitimate licensed software and hardware (Exhibit 1).

The current Agreement resulted from competitively solicited Quote No. A1256404Q1 in the five-year estimated amount of \$107,100.00. The contract was due to expire on December 31, 2019; however, the 90-day extension was invoked bringing the expiration date to March 31, 2020.

Expenditures to date have been: \$124,100

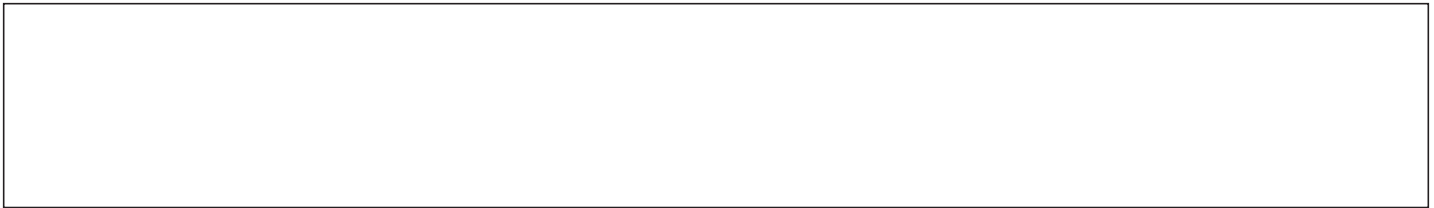
The estimated annual cost for the continued support and maintenance is \$12,600. The five year estimated amount is \$63,000.

If approved, the Purchasing Agent will solicit a BidSync quote request to SenSource for a potential five year contract for support and maintenance and present the Sole Source Memo and the BidSync bid response from SenSource to the Board for approval.

A second separate 90 day extension request will be forthcoming in order to have continued support and maintenance while in queue for Board approval.

Purchasing Agent Signature: **MICHAEL MULLEN**  Digitally signed by MICHAEL MULLEN
Date: 2020.03.03 13:40:31 -05'00' Date: March 3, 2020

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):



Signature: **DAVID CLEMENTE**  Digitally signed by DAVID
CLEMENTE
Date: 2020.03.03 14:55:03 -05'00'

Date:



Solutions You Can Count On

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Youngstown, OH 44515-3033
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Intl. Fax: (858) 300-5327
www.sensourceinc.com

January 16, 2020

Broward County Library
100 South Andrews Avenue
Fort Lauderdale, FL 33301

Re: Sole Source & Ownership

To Whom This May Concern,

This letter is written to confirm that SenSource Inc (SENSOURCE) is the Sole Source Provider and owns all right, title, and interest in and to its Veia Software (THE SOFTWARE) and related services. THE SOFTWARE and HARDWARE (PC-THI60 series sensors) purchased from SenSource combine to provide a unique solution only available from SenSource.

THE SOFTWARE is the intellectual property as created by SENSOURCE and is protected by copyright and trademark law. THE SOFTWARE provides unique patron traffic reporting, real time traffic monitoring, and predictive traffic analytics. THE SOFTWARE also provides remote real time monitoring of hardware performance, accuracy and connectivity which enables SENSOURCE to provide proactive support services. SOFTWARE is designed as a tightly and uniquely integrated solution which works exclusively with SenSource hardware (THE HARDWARE). Furthermore, the features and services encompassed by THE SOFTWARE and THE HARDWARE to form THE SOLUTION described herein are not available from any other source.

It should be noted that although people counting hardware can be purchased through other sources it will not be licensed properly for use with SenSource software. Therefore THE SOFTWARE and THE HARDWARE must both be purchased from SenSource to provide the required data integration.

Warmest regards,

A handwritten signature in black ink, appearing to read "Joe Varacalli".

Joseph A. Varacalli
President