



DATE: October 21, 2020

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Howell Herring, Chief Information Officer, Enterprise Technology Services

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

PROJECT TITLE: T-Mobile Cellular Services and Equipment

REQUISITION NO. TBD

SOLE SOURCE/SOLE BRAND REQUEST

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

To procure Cellular Services and equipment sold and serviced directly by T-Mobile. The County procures services from the four major cellular carriers. The procurement vehicle for T-mobile relies on the State of Nevada NASPO contract, expiring on 12/31/2020. Services found on this contract shifted under the State of Utah NASPO contract utilizing the same plans and services. The State of Utah contract remains in effect through 2024. During this time frame, ETS expects to see the merger of T-Mobile and Sprint Wireless enter into final completion with services available through the State of Florida SUNCOM contract. This action allows Agencies who rely on T-Mobile for business operations to experience uninterrupted services and billing.

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:

Due to this merger, it is the recommendation of ETS to seek out the most flexible contract, offering economies of scale, ease of termination and uninterrupted services during the final stages of this corporate merger. ETS recognizes the need to provide a stable platform of cellular services in use by Agencies for both T-Mobile and Sprint Wireless. During the final phasing of this merger, ETS anticipates a discontinuance of cellular plans and newly released phone models will no longer be available for accounts held with Sprint. This Only One Reasonable Source allows Agencies the ability to methodically transfer Sprint Services over to T-

Mobile across multiple fiscal years and controlling expenditures through the natural course of equipment upgrades.

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:

On 6/10/2014, Agenda item No. 39 provided Only One Reasonable Source Designation and, delegated authority to the Purchasing Director to negotiate and execute a Participating Agreement with the State of Nevada Western States Contracting Alliance (WSCA) Agreement No. 1907. This Agreement provided cellular plans and equipment for all County Agencies using T-Mobile, AT&T, Verizon, and Sprint two carriers under the T-Mobile name. A communication with the State of Florida indicates an ongoing negotiation is underway to assign, and formally change the name of the Sprint Wireless contract (DMA-1011-008B) over to T-Mobile, adopting all services under SUNCOM. The state reports they do not believe they can finish negotiations prior to the 12/31/2020 expiration of the WSCA T-Mobile contract. WSCA is now known as the National Association of State Procurement Officers (NASPO). The State of Utah NASPO Agreement MA176, provides a full range of services available from T-Mobile. This Agreement allows for all existing plans and service to seamlessly transfer over from the State of Nevada with no expected interruption in services. NASPO contracts are specific to Government participation and cost structures are based on large volume transactions by participants across the United States. Broward County will have an ability to utilize this contract under a Participating Addendum with the flexibility to negotiate voice, data, text, and accessory packages specifically for County needs.

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: \$500,000 Contract length (if applicable): Four Years

Expenses to date: \$482,867

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

If yes, when and by whom? T-Mobile under the State of Nevada NASPO Agreement, 1907

How was item/service procured? Reasonable source

What is the current contract (MA) or purchase order number? A1226601A3_1

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.

With the continued merge of Sprint Services under T-Mobile, ETS recognizes the need to provide a stable platform of cellular services in use by Agencies for both T-Mobile and Sprint Wireless. During the final phasing of this merger, ETS anticipates a discontinuance of cellular plans and newly released phone models will no longer be available or accounts held with Sprint. This Only One Reasonable Source allows Agencies the ability to methodically transfer Sprint Services over to T-Mobile across multiple fiscal years and controlling expenditures through the natural course of equipment upgrades.

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"

Keith A. Wolf

Digitally signed by KEITH WOLF
Date: 2020.10.21 17:46:07 -04'00'

October 21, 2020

REQUESTOR/EVALUATOR (PRINT)

REQUESTOR/EVALUATOR (SIGN)

DATE

Howell Herring

HOWELL HERRING

Digitally signed by HOWELL
HERRING
Date: 2020.10.21 14:55:39 -04'00'

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:

Recommend Board delegation to the Director of Purchasing to negotiate and execute a Participating Addendum to the State of Utah Wireless Contract No. MA176, part of the NASPO Agreement with T-Mobile for Wireless Voice Services, Wireless Broadband Services, accessories and equipment in the estimated annual amount of \$500,000 and authorize the Director of Purchasing to renew the contract as may be renewed by the State of Utah.

Purchasing Agent Signature:

LEAHANN
LICATA

Digitally signed by
LEAHANN LICATA
Date: 2020.11.03
21:24:56 -05'00'

Date: 11/4/20

DAVID
CLEMENTE

Digitally signed by DAVID
CLEMENTE
Date: 2020.11.04
12:16:57 -05'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

[Empty box for Reason/Suggested Action]

Signature: BRENDA
BILLINGSLEY

Digitally signed by
BRENDA BILLINGSLEY
Date: 2020.11.05
13:28:07 -05'00'

Date: 11/5/20