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DATE: February 13, 2020

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Mark E. Gale, CEO/Director of Aviation

FROM: Michael Nonnemacher, COO/Deputy Director of Aviation

PROJECT TITLE: Safety & Security Instruction - Most Reasonable Source Amendment

REQUISITION NO. AVA0001494

SOLE SOURCE/SOLE BRAND REQUEST

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

> The Broward County Aviation Department (BCAD) is requesting an amendment to the Safety & Security Instruction, Inc. (SSi) Contract No. N1302308A1 that provides safety and security training at Fort Lauderdale-Hollywood International Airport (FLL). Under the current contract, SSi has developed numerous unique training modules to meet Federal mandated requirements for security training of all FLL badged employees. These training modules are an integral part of the FLL credentialing process and are required in accordance with Transportation Security Administration (TSA) 49 CFR Part 1542.213.
>
> The requested amendment will allow SSi to continue providing their tailored, proprietary software and service to FLL.

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:

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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:

> Safety & Security Instruction, Inc. (SSi)'s provided training modules are an integral part of Fort Lauderdale-Hollywood International Airport's (FLL) credentialing process. In accordance with TSA 49 CFR Part 1542.213, airport personnel cannot have unescorted access to secure areas "unless that individual has successfully completed training in accordance with TSA-approved curriculum specified in the security program". Over the course of the current contract, SSi has developed the following 14 courses exclusively for the training needs of FLL badged employees: Secure Information Display Area (SIDA), Authorized Signatory, Airside Driver Training, Passenger Boarding Bridge Training, Escort Procedures, Challenge Procedures, Violations, Piggybacking, Elevator, Door Access, Baggage Security, Alarms and Responses, ID Badge Rules, and Airport Employee Emergency Training (AEET).
>
> In response to the January 6, 2017 Airport incident, SSi developed an emergency training module uniquely tailored for FLL's operational environment. This AEET module was developed in English, Spanish, and Creole to maximize learner comprehension, taking into account the FLL workforce demographics. This training module alone cost the County $347,000.00.
>
> Finally, historical training data is stored by SSi behind a firewall, and securely integrated with the airport's Credentialing Management System (CMS). This is a requirement in accordance with 49 CFR Part 1542.213 (d) that states that, "Each airport operator must maintain a record of all training and information given to each individual under paragraphs (b) and (c) of this section for 180 days after the termination of that person's unescorted access authority".

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: $142,000.00   Contract length (if applicable): Three (3) one-year-renewals

Expenses to date: $467,500.57

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

If yes, when and by whom? April 2015, by SSi, Inc.

How was item/service procured? Two-party agreement

What is the current contract (MA) or purchase order number? N1302308A1

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.

> If an alternate vendor is used, then the current courses provided by SSI will have to be redeveloped. To date, Broward County has spent $467,500.57 for the development and deployment of all courses that are

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tailored specifically for FLL. The alternate vendor used by some other major airports is the American Association of Airport Executives (AAAE). Per the quote provided by AAAE, the replacement cost of the current vendor would be upwards of $870,000.

In addition, as part of the requirements for the CMS, part of the Scope of Work was to create an Application Programming Interface (API) with SSi to provide mandatory training for all FLL employees. The cost of programming associated with an API with a new vendor to integrate into the CMS would be approximately $250,000 and an additional time frame of six (6) months to the project, delaying the deployment of the CMS. Combined with replacement costs from the alternate vendor, this would result in a total cost over $1.1M.

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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"

Nicholas Bryant	*Nicholas Bryant* nsb	February 13, 2020
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)	DATE
Michael Nonnemacher		February 14, 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:

Purchasing Agent Signature: _____   Date: _____

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: _____   Date: _____