

Finance and Administrative Services Department **PURCHASING DIVISION** 115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

Certified Mail No.7005 3110 0002 8833 0111

November 18, 2020

Luca Bovalino, CEO HUB Parking Technology USA, Inc 761 Commonwealth Dr, Suite 204 Warrendale, PA 15086

### Re: Protest - Request for Letters of Interest (RLI) PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance

### Dear Mr. Bovalino:

Broward County Purchasing Division ("Purchasing") is in receipt of HUB Parking Technology USA, Inc., (HUB) protest letter dated August 21, 2020, ("Protest") regarding Request for Letters of Interest (RLI) No. PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance, claiming it should not have been found non-compliant with the RLI's licensing requirements. As a preliminary matter, the Procurement Code does not permit protests of an Evaluation Committee's non-responsibility determinations. Nevertheless, I will address your assertions.

The following will address each of your assertions in accordance with the Procurement Code and established Selection and Evaluation Committee ("SC" or "EC") procedures.

### Protest Assertion No. 1:

"While the Solicitation also provides that HUB *should* submit proof of licensing with its submittal, the Selection Committee has the discretion [on] whether or not to deem HUB non-responsive for non-compliance. Hub's subcontractor, Dato Electric had a valid electrical contractor's license on file at the time of submittal."

### Response No. 1:

The County's solicitation states the vendors must submit proof of licensing with their submittal or within three (3) business days from County's written request. HUB did not provide proof of licensing at the time of submittal. On June 26, 2020, the Purchasing Agent e-mailed HUB representatives requesting proof of licensing and a completed Volume of Previous Work Form and requested each to be submitted no later than three (3) business days from this written request. No proof of licensing was submitted within this deadline as required by the solicitation (Exhibit A).

Additionally, on July 23, 2020, the Broward County Purchasing Division emailed HUB a copy of the attached draft of the Director of Purchasing Memorandum with references and the five (5) supporting memoranda **(Exhibit B)**. The draft memorandum provided HUB with the opportunity to review and respond to any deficiencies noted therein. The July 23<sup>rd</sup> email clearly stated "If any deficiencies are noted in any memoranda concerning your firm, you have the opportunity to provide an explanation in writing of those deficiencies by 5:00 PM on Monday, July 27, 2020. Your explanations will be forwarded to members of the Committee, for their review and consideration". The Responsiveness and Responsibility Matrix clearly noted HUB "Does Not Comply" with the insurance and licensing requirements. However, despite this written notice, HUB did not respond to the deficiencies noted in the draft Director of Purchasing Memorandum on or before 5:00 p.m. EST on Monday, July 27, 2020.

Broward County Board of County Commissioners Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine www.broward.org Luca Bovalino, CEO, HUB Parking Technology USA, Inc. Protest - Request for Letters of Interest (RLI) PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance November 18, 2020 Page 2 of 3

At the Selection Committee (SC) meeting held on August 13, 2020, the SC exercised its discretion and voted in favor of allowing two vendors five (5) additional days to comply with the insurance requirements since this was an issue that affected multiple vendors. However, the SC elected not to provide additional time to provide proof of licensing since only one vendor failed to comply with this responsibility requirement. The SC acted within its discretion in not extending additional time for HUB to provide proof of licensing since only one vendor (in comparison to the five out of six for the insurance requirement) failed to comply with this responsibility requirement. It is the responsibility of each vendor to ensure all responsibility requirements, including licensing, are timely met. Accordingly, it is irrelevant whether Dato Electric had a valid electrical contractor's license "on file" at the time of submittal. It is the responsibility of HUB, not the County, to ensure a copy of licensing is timely provided. HUB had several opportunities to cure this deficiency.

### **Objection Assertion No. 2:**

"While Hub was removed from contention despite having the underlying license in place, other bidders were given the opportunity to obtain documentation they did not even have at the time of the hearing. From HUB's perspective, at worst this is a distinction without [a] difference. However, it is our position that the Committee should have used its discretion with regards to the license requirement, which had already been met in spirit."

### Response No. 2:

At the SC meeting held on August 13, 2020, the SC exercised its discretion and voted in favor of allowing vendors five (5) additional days to comply with the insurance requirements since this was an issue that affected multiple vendors. The SC discussed both issues at the meeting and made a distinction between licensing and insurance requirements. The SC acted within its discretion in not extending additional time for HUB to provide proof of licensing since only one vendor (unlike the five out of the six for the insurance requirement) failed to comply with this responsibility requirement. It is the responsibility of each vendor to ensure all responsibility requirements, including licensing, are timely met. The SC is not required to exercise its discretion in favor of allowing additional time for vendors to comply with responsibility requirements under every circumstance. In this case, the SC articulated a clear distinction between insurance requirements which affect only one vendor. If HUB had simply taken one of the several opportunities to cure its licensing deficiency, then the issue of the SC exercising its discretion would have been a moot point.

### **Objection Assertion No. 3:**

"The Solicitation states that "the County reserves the right to waive minor technicalities or irregularities as is in the best interest of the County in accordance with Section 21.30.f.1(c) of the Broward County Procurement Code. (emphasis added)." The Code, in the aforementioned section, goes on to define a minor technicality or irregularity as "a variation from the bid or proposal which does not affect the price of the bid or give the bidder an advantage or benefit not enjoyed by others, or does not adversely affect the price of the bid or give the bidder an advantage or benefit enjoyed by others, or does not adversely affect the interest of the County. The omission of the copy of a license which is in place when required, and which was already on file with Broward County in the department that soliciting the Bid, is a clear case of minor technicality."

Luca Bovalino, CEO, HUB Parking Technology USA, Inc. Protest - Request for Letters of Interest (RLI) PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance November 18, 2020 Page 3 of 3

### Response No. 3:

The Licensing Requirements were listed as an Additional Responsibility Criteria in Section B.3 of the Special Instructions to Vendors. Furthermore, the solicitation as you fully acknowledged in your Protest, states that "the County reserves the right to waive minor technicalities or irregularities as is in the best interest of the County." Therefore, the SC acted within its discretion in not extending additional time for HUB to provide proof of licensing and its determination of HUB's non-responsibility. As previously mentioned, it is irrelevant whether HUB's subcontractor, Dato Electric, had a valid electrical contractor's license "on file" at the time of submittal. It is the responsibility of HUB, not the County, to ensure a copy of licensing is timely provided.

### **Determination:**

In summary, even though the Procurement Code does not allow protests of a Selection Committee's non-responsibility determination, I have provided a response to each of your assertions. Accordingly, your protest filing fee in the amount of \$3,000 will be returned under separate cover.

Sincerely,

anc 2 OF

Brenda J. Billingsley, Director Rurchasing Division

BJB/gm/lj/lg

### Attachments

c: Ron Oster, Airport Manager, Airport Parking Operations Division, Aviation Department Glenn Marcos, Assistant Director, Purchasing Division Constance Mangan, Purchasing Manager, Purchasing Division Lucho Jaramillo, Purchasing Agent, Purchasing Division Fernando Amuchastegui, Assistant County Attorney, Office of the County Attorney

Exhibit A

### Jaramillo, Salustio

From:	Jaramillo, Salustio
Sent:	Friday, June 26, 2020 9:58 AM
To:	'ann.cihak@hubparking.com'
Cc:	'jack.hedrick@hubparking.com';
Subject:	RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance
Attachments:	Volume of Previous Work.pdf

Good morning,

The Licensing Requirement was missing in you submittal. Please see the attached PDF. This is the Volume of Previous Work Form. Please read the form completely before filling out.

Please provide the following no later than 3 business days from this request. This information can be returned via email.

- 1. Fill out and sign the Volume of Previous Work Form.
- 2. Proof of Licensing

Please let me know if you have any questions.

Thank you,



Lucho Jaramillo, Purchasing Agent, MBA Broward County Purchasing Division 115 S. Andrews Avenue, Fort Lauderdale, FL 33312 Office: 954-357-6286 County Cell: 954-643-3780 www.broward.org

Customer Care is my priority. How am I doing? Please contact my Manager, Christine Calhoun at <u>ccalhoun@broward.org</u> with feedback.

### Jaramillo, Salustio

From:	Jaramillo, Salustio
Sent:	Thursday, July 23, 2020 12:58 PM
То:	'ann.cihak@hubparking.com'
Cc:	Mangan, Constance; Messersmith, Carolyn
Subject:	Director of Purchasing Memorandum -RLI No. PNC2119994R1 Parking Access and Revenue Control
	Equipment and Maintenance
Attachments:	Director of Purchasing DRAFT Memorandum.pdf; Insurance Requirements, PNC2119994R1, PARCS.pdf

Good afternoon,

Attached is the Director of Purchasing Memorandum Draft, with references and the <u>five</u> (5) supporting memoranda (i.e. Office of Economic and Small Business Development Review Memorandum, County Attorney Office Review Memorandum, Financial Review Memorandum, Risk Management Division Review Memorandum and Vendor Security Questionnaire Memorandum) for your review.

If any deficiencies are noted in any memoranda concerning your firm, you have the opportunity to make explanation in writing of those deficiencies by <u>5:00 PM (Eastern Florida time) on Monday, July 27, 2020.</u> Your explanations will be forwarded to members of the Committee, for their review and consideration.

The **Insurance Requirement Form** reflects the insurance requirements deemed necessary for this project. It is not necessary to have this level of insurance in effect at the time of submittal, but it is necessary to submit certificates indicating that the Vendor currently carries the insurance <u>or to submit a letter from the carrier indicating it can provide</u> <u>insurance coverages (See attached Insurance Requirement Form).</u>

In addition, please note that due to the current events and the social distancing recommendations, additional information about Initial Evaluation Committee meeting procedures and schedule will be provided. The sunshine meeting notice will be available at the following link: <a href="http://www.broward.org/Commission/Pages/SunshineMeetings.aspx">http://www.broward.org/Commission/Pages/SunshineMeetings.aspx</a>

1

Contact me if you have any questions.

Regards,



Lucho Jaramillo, Purchasing Agent, MBA Broward County Purchasing Division 115 S. Andrews Avenue, Fort Lauderdale, FL 33312 Office: 954-357-6286 County Cell: 954-643-3780 www.broward.org

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Exhibit B Page 2 of 61



Finance and Administrative Services Department **PURCHASING DIVISION** 115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

DATE: July 22, 2020

TO: Evaluation Committee Members

THRU: Brenda J. Billingsley, Director of Purchasing

FROM: Lucho Jaramillo, Purchasing Agent

SUBJECT: Director of Purchasing Memorandum RFP No. PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance 6 Submittals

REFERENCE: (a) Procurement Code Subsection 21.83.d (b) Procurement Code Subsection 21.30.f.5

The following proposers submitted responses to this solicitation:

DESIGNA Access Corporation FlashParking, Inc. HUB Parking Technology USA, Inc. LCN, Inc. dba Consolidated Parking Equipment Scheidt & Bachmann USA, Inc. TIBA Parking Systems LLC. dba TIBA, LLC

In accordance with reference (a), the Director of Purchasing reviews all submittals for responsiveness and recommends to the Evaluation Committee her findings, which the Evaluation Committee may accept or arrive at a different conclusion. Committee Members must consider all pertinent information when rendering a determination. Pursuant to Procurement Code Subsection 21.8.b.65, a responsive Bidder [proposer] means a person who has submitted a bid [proposal] which conforms in all material respects to a solicitation.

All Firms are recommended to be evaluated as responsive to all responsiveness requirements. Refer to the Responsiveness and Responsibility Matrix for responsiveness requirements details and applicable supporting memoranda.

In accordance with reference (b), the Evaluation Committee determines proposers' responsibility. Pursuant to Procurement Code Subsection 21.8.b.64, a responsible firm is one that has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.

Refer to the Responsiveness and Responsibility Matrix for responsibility requirements details, applicable supporting memoranda, and vendor's submittal as information to the Committee Members. The Committee Member must use all pertinent information and documentation provided as part of this

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Director of Purchasing Memorandum RFP/RFQ/RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance

July 22, 2020 Page 2

procurement to determine whether the proposer is a responsible vendor as defined by the County's Procurement Code.

A draft Director of Purchasing's Memorandum and the five (5) supporting memorandum from the Office of Economic and Small Business Development, Aviation Department's Finance Division, the County Attorney's Office, Enterprise Technology Services Memorandum and the Risk Management Division were emailed to proposers with a request that, if a proposer desires to clarify any information provided in their response, they should do so in writing. All written explanations received were subsequently reviewed by staff, as applicable.

Committee Members must consider all pertinent information when rendering a determination on responsiveness and responsibility.

Attachment(s):

1) Responsiveness and Responsibility Matrix

Referenced Memoranda and Supporting Information:

- 1) Office of Economic and Small Business Development Review Memorandum
- 2) Financial Review Memorandum Aviation Department Airport Parking Operations
- 3) County Attorney Office Review Memorandum
- 4) Risk Management Division Review Memorandum
- 5) Vendor Security Questionnaire Review Memorandum
- 6) Vendor Reference Verifications and Broward County Vendor Performance Evaluations
- c: Bob Melton, County Auditor, Office of the County Auditor Ron Oster, Project Manager, Airport Parking Operations Division, Aviation Department Constance Mangan, Purchasing Manager, Purchasing Division, Finance and Administrative Services Department Fernando Amuchastegui, Assistant County Attorney, Office of the County Attorney

BJB/lj

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Page 1 of 3 Responsiveness and Responsibility Matrix Solicitation No. PNC2119994R1

# A. Responsiveness Requirements (from Standard Instructions and Special Instructions to Vendors)

					LCN, Inc. dba		
		DESIGNA Access		HUB Parking	Consolidated Parking	Scheidt & Bachmann	
	Section	Corporation	FlashParking, Inc	Technology USA, Inc	Equipment	USA, Inc	TIBA, LLC
-	Lobbyist Registration Certification	Retained*	Not Retained	Not Retained	Retained*	Retained*	Retained*
2	Acknowledgement of Must Addendum	Complies	Complies	Complies	Complies	Complies	Complies
e	Bond Requirement	Complies	Complies	Complies	Complies	Complies	Complies
4	Domestic Partnership Act Requirement	Complies	Complies	Complies	Complies	Complies	Complies
ъ	Living Wage Requirement	Complies	Complies	Complies	Complies	Complies	Complies

Additional Information:

\*DESIGNA Access Corporation has retained Bernie Friedman and Nick Matthews with the firm of Becker & Poliakoff.

\* LCN, Inc., dba Consolidated Parking Equipment has retained Seth Platt with the firm LSN Government Affiars

\*Scheidt & Bachmann USA, Inc., has retained Stephanie Gruttman Zauder with the firm of Ballad Partners. \*TIBA, LLC has retained retained Kenneth E. Keechl with the firm Ken Keechl Law

# \*Bid Bond Requirement is \$10,000

## B. Responsibility Requirements

Del Off							
Off Off		DESIGNA Access		HUB Parking	Consolidated Parking	Scheidt & Bachmann	
0 U	Section	Corporation	FlashParking, Inc	Technology USA, Inc	Equipment	USA, Inc	TIBA, LLC
ď	Office of Economic and Small Business						
2	Development (refer to suppporting						
1 me	memorandum)	Complies	Does Not Comply	Complies	Does Not Comply	Complies	Complies
Dis	Disclosure of Litigation History (refer to						
2 sup	suppporting memorandum)				•		
	Number of Disclosed Cases	0	1	2	1	0	0
	Litigation in Broward County	No	No	Yes	No	No	No
Dis	Disclosure of Financial Information (refer to						
3 sup	suppporting memorandum)	Provided	Provided	Provided	Provided	Provided	Provided
4 Aut	Authority to Conduct Business in Florida	Authorized	Authorized	Authorized	Authorized	Authorized	Authorized
5 Affi	Affiliated Entities of Principals	No Affiliates	No Affiliates	No Affiliates	No Affiliates	No Affiliates	No Affiliates
lins	insurance Requirements (refer to suppporting						
6 me	memorandum)	Does Not Comply	Does Not Comply	Does Not Comply	Does Not Comply	Does Not Comply	Does Not Comply
7 Lio	Licensing	Complies	Complies	Does Not Comply	Complies	Complies	Complies
8 Vei	Vendor Security Questionnaire Review	Provided	Provided	Provided	Provided	Provided	Provided

Additional Information: Refer to Vendor's initial submittal and supporting review memorandum.

Page 2 of 3 Responsiveness and Responsibility Matrix Solicitation No. PNC2119994R1

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		TIBA, LLC
	Scheidt & Bachmann	USA, Inc
LCN, Inc. dba	<b>Consolidated Parking</b>	Equipment
	HUB Parking	Technology USA, Inc
		FlashParking, Inc
	DESIGNA Access	Corporation
		Section

In response to the Director of Purchasing's Draft Memorandum, to which the vendor can respond within 48 hours to any comments or deficiencies, the following vendor(s) responded:

# C. Additional Requirements/Information

Section	DESIGNA Access Corporation	FlashParking, Inc	HUB Parking Technology USA, Inc	LCN, Inc. dba Consolidated Parking Equipment	Scheidt & Bachmann USA, Inc	TIBA. LLC
County Standard Terms and Conditions (if			E C	, F	ŀ	
exceptions noted, reter to supporting intormation, References - Have the vendor references been	NO EXCEPTIONS	Exception laken	Exception laken	Exception Laken	Exception Laken	No Exceptions
checked? (Refer to verified references for any	Yes	Yes	Yes	Yes	Yes	Yes
comparable government experience).						
	No Performance	No Performance	Refer to attached	Refer to attached	No Performance	
Performance Evaluations	Evaluations	Evaluations	Performance Evaulations Performance Evaulations	Performance Evaulations		No Performance Evaluations
Cone of Silence	Will Comply	Will Comply	Will Comply	Will Comply		Will Comply
Number of Violations	0	0	0	0	0	0
Volume of Previous Work (Evaluation/Tie-						
Breaker Criteria) (refer to below for points						
allocated)						
Proposer Reported Prime:	\$0.00	\$0.00	\$0.00	\$744,537.39	\$0.00	\$0.00
Proposer Reported CBE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
County Reported Prime:	\$0.00	\$0.00	\$9,795,836.34	\$775,552.54	\$0.00	\$0.00
County Reported CBE:	\$0.00	\$0.00	\$0.00	\$10,920.00	\$0.00	\$0.00
County Reported Prime - CBE:	-	۰ ج	\$ 9,795,836.34	\$ 764,632.54	,	۰ ۳
Points Allocated based on Evaluation Criteria	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
	Westmont, IL 60559	Austin, TX 78704	Warrendale, PA 15086	Miami, FL 33132	Lowell, MA 01854	Columbus, OH 43219
Principal Business Location (Verified in Sunbiz)						
Points Allocated based on Evaluation Criteria	0	0	0	0	0	0
Local Preference	Not Local	Not Local	Not Local	Not Local	Not Local	Not Local

Volume of Work:

3 points allocated to vendors paid \$0 - 3 million; 2 points to vendors paid \$3,000,001 to \$7 million; 1 point to vendors paid \$7,500,0001 to \$10 million.

\*Principal place of business location is based on requirements in effect at time of solicitation opening (March 13, 2020)

Page 3 of 3 Responsive Solicitation h	Page 3 of 3 Responsiveness and Responsibility Matrix Solicitation No. PNC2119994R1						Exhibit B Page 6 of 61
	Section	DESIGNA Access Corporation	FlashParking, Inc	HUB Parking FlashParking, Inc	LCN, Inc. dba Consolidated Parking Scheidt & Bachmann Equipment USA, Inc	Scheidt & Bachmann USA, Inc	TIBA, LLC
Addition	Additional Information: Name of Vendor - summarize and/or reference supporting information submitted (and what section)						

### D. Tiebreaker

	Åraa	DESIGNA Access Cornoration	ElachParking Inc	HUB Parking Technology USA Inc	LCN, Inc. dba Consolidated Parking Fourinment	Scheidt & Bachmann	TIBA LLC
-	Local Vendor Certification Form	Not Local	Not Local	Not Local	Not Local	Not Local	Not Local
	Provided Business Tax Receipt with Submittal	No	No	٩	Yes	No	No
	Domestic Partnership Act Certification (Vendor						
	must currently offer Domestic Partnership	Currently	Currently				
2	benefit)	Complies/Offers	Complies/Offers	Currently Complies/Offers	Currently Complies/Offers	Currently Complies/Offers	Complies/Offers  Currently Complies/Offers   Currently Complies/Offers   Currently Complies/Offers   Currently Complies/Offers
	Volume of Work over Five Years (order for						
e	3 tiebreaker based on C.5 above)	1st	1st	3rd	2nd	1st	1st

Additional Information:

Trebraker Note: Procurement Code - the fourth criteria for break a tie is "A re-vote or re-assessment of only the tied vendors." and the fifth criteria is Preference to vendor receiving a majority of the total first-place votes.

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OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT Governmental Center Annex 115 S. Andrews Avenue, Room A680 • Fort Lauderdale, Florida 33301 954-357-6400 • FAX 954-357-5674 • TTY 954-357-5664

### MEMORANDUM

- **DATE:** April 24, 2020
- TO: Salustio Jaramillo, Purchasing Agent Purchasing Division
- THRU: Sandy-Michael McDonald, Director MCDONALD DWW 2020.05.07 16.11.51 04/04 Office of Economic and Small Business Development

 
 FROM:
 Maribel Feliciano, Assistant Director
 MARIBEL FELICIANO
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### SUBJECT: RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance County Business Enterprise (CBE) Evaluation

The Office of Economic and Small Business Development (OESBD) has conducted a review of the respondents' compliance to the County Business Enterprise (CBE) requirements for this solicitation. An overview is provided as follows:

### CBE Goal for this project: 21%

### Met the CBE Requirements:

Firm Name	Category	<b>Percentage</b>
<ul> <li>Designa Access Corporation (prime)</li> </ul>		
Aum Construction, Inc.	CBE	21.30%
<ul> <li>HUB Parking Technology USA, Inc. (prime)</li> </ul>		
DATO Electric, Inc	CBE	24.90%
<ul> <li>Scheidt &amp; Bachmann USA, Inc. (prime)</li> </ul>		
Interlink Group Professional Services, Inc.	CBE	21.00%
<ul> <li>TIBA, LLC d/b/a TIBA Parking Systems, LLC (prime)</li> </ul>		
Arbor Electric d/b/a Mr. Wireman Electric	CBE	25.60%
CBN Solutions Group, Inc.	CBE	0.90%
Total		26.50%

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Exhibit B

### RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenar Rege 8 of 61 County Business Enterprise (CBE) Evaluation

### Did Not Meet the CBE Requirements:

Firm Name	<u>Category</u>	<u>Percentage</u>
Flash Parking, Inc. (prime)     Virtus Electric, Inc.	CBE	12.10%
LCN, Inc. d/b/a Consolidated Parking Equipment (prime)		
A.C.T Services, Inc.	CBE	17.00%
Action Group Management	CBE	<u>_1.00%</u>
Total		18.00%

### CBE Compliance Comments:

Designa Access Corporation provided the required documents and is compliant with the CBE requirements of the solicitation. Hub Parking Technology USA, Inc., Scheidt & Bachmann USA, Inc., and TIBA, LLC d/b/a TIBA Parking Systems, LLC each submitted Letters of Intent (LOIs) that were missing information. The firms were given three (3) business days to provide the requested information and did so within the stipulated timeframe. Hub Parking Technology USA, Inc., Scheidt & Bachmann USA, Inc., and TIBA, LLC d/b/a TIBA Parking Systems, LLC are deemed to be compliant with the CBE requirements of the solicitation.

Flash Parking, Inc. did not submit an LOI with its solicitation response. The firm was given three (3) business days to provide LOIs that meet the established CBE goal or provide documentation of its good faith efforts to meet the goal. The firm responded within the allotted timeframe and submitted an LOI that reflected 12.10% CBE participation, which is less than the established 21% CBE goal. In an email correspondence submitted to the OESBD, dated April 17, 2020, Flash Parking, Inc. stated that it manufactures the equipment being proposed and that labor was the only service it could subcontract. No documentation of the firm's good faith efforts to meet the goal was submitted. In light of the fact that other respondents to this solicitation, which also manufacture the equipment that they are proposing, were able to identify services for CBE firms to perform and still meet the goal, Flash Parking, Inc. is deemed to be non-compliant with the CBE requirements of the solicitation.

LCN, Inc. d/b/a Consolidated Parking Equipment (CPE) submitted LOIs with its submittal that amounted to 18% participation, which is less than the established 21% goal. The firm also submitted a good faith efforts log and correspondence regarding the assigned goal. CPE was given three (3) business days to provide LOIs that meet the established CBE goal or provide documentation of its good faith efforts to meet the goal. The firm responded within the allotted timeframe. It is apparent that some effort was made by CPE to meet the goal. However, the company failed to fully demonstrate the quality, quantity, and extent of the various efforts made to meet the goal by not providing sufficient documentation of these efforts. The firm's assessment that the goal was too high is refuted by the fact that four (4) of the six (6) respondents met the established goal. CPE is deemed to be non-compliant with the CBE requirements of the solicitation.

### CBE Compliance History:

The following is a report of the respondents' CBE compliance history for active projects and projects completed within the last five (5) years of the RFP's opening date compiled from various sources including Contract Central, OESBD's Database (ALTs) and Monthly Utilization Reports (MURs):

• **Designa Access Corporation** - OESBD found no active or completed projects with CBE requirements within the last 5 years.

### Exhibit B RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenarege 9 of 61 County Business Enterprise (CBE) Evaluation

- Flash Parking, Inc. OESBD found no active or completed projects with CBE requirements within the last 5 years.
- LCN, Inc. d/b/a Consolidated Parking Equipment has the following active projects with CBE goals:

Project Name	Solicitation Number	Amount Paid to CBE Firms
Parking Garage Revenue		
Systems Equipment	Bid No. X0945108B4	\$10,920.00*
Maintenance/ Repair		

Sources: Contracts Central and MURs

\*Based on MURs from March 2015 and October 2015.

- **HUB Parking Technology USA, Inc.** OESBD found no active or completed projects with CBE requirements within the last 5 years
- Scheidt & Bachmann USA, Inc. OESBD found no active or completed projects with CBE requirements within the last 5 years for
- TIBA, LLC d/b/a TIBA Parking Systems, LLC has the following active projects with CBE goals:

er Amount Paid to CBE Firms
368P1 \$0.00*

Sources: BidSync and Project Manager

\*Based on information from Project Manager. A second Notice to Proceed, to commence work under this contract, is expected to be issued in May 2020.

cc: Donna-Ann Knapp, Small Business Development Specialist, BCAD/OESBD

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AVIATION DEPARTMENT - Fort Lauderdale/Hollywood International Airport 2200 SW 45th Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

### MEMORANDUM

DATE:	April 1, 2020		
то:	Dedrie Registe		
FROM:	John R. Dent BCAD Finance	John Dent	Digitally signed by John Dent Date: 2020.04.10 14:06:57 -04'00'

SUBJECT: Financial Review for RFP PNC2119994R1- Parking Access and Revenue Control Equipment and Maintenance

This memorandum provides a review of financial statements submitted by Six (6) respondent of the above referenced RFP.

This RFP specifies that the respondent will provide two years of financial statements. Full financial statements are generally understood to include a balance sheet, statement of operations, statement of retained earnings, statements of cash flows and notes to the financial statements. Financial statements should include at least a balance sheets and a statement of operations (income statement) for the required periods. This review is not intended to express an opinion on the financial statements, but to disclose to the Selection-Committee whether or not the respondent submitted all of the required financial documents as specified in the RFP and to make committee members aware of any reported condition or apparent issue that might be construed as relevant to the Selection-Committee.

A matrix, meeting standards approved by the Purchasing Division, is attached. The format is designed to indicate conditions such as negative equity, net loss, current ratio and debt to equity ratio. A current ratio of less than 1.0 generally indicates respondent difficulty in meeting current obligations with current assets in a timely manner. Debt-to-equity ratio is a measure of debt incurrence by the respondent in the course of business. Higher numbers indicate a more aggressive accumulation of debt relative to equity. Where the Purchasing Division has granted a respondent's request for confidentiality, the appropriate data in the report was redacted.

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### Page 2

April 1, 2020

Financial Review for RFP PNC2119994R1- Parking Access and Revenue Control Equipment and Maintenance

### Finding:

Six (6) respondent submitted Financial Statements belonging to their Companies.

### Comments:

### 1. DESIGNA Access Corporation

Respondent provided an audited financials for the years 2018 and 2019. They have a High Debt to equity ratio and a Low Current ratio under 1.0 for 2019 and 2018. This would indicate they would have trouble pay off its obligations if they came due at any point. No other discrepancies noted in their financial statements that were provided.

### 2. HUB Parking Technology USA, Inc.

Respondent provided audited financials for the years 2018 and 2017. No discrepancies noted in their financials that were provided.

### 3. Scheidt & Bachmann USA, Inc.

Respondent provided audited financials for the years 2018 and 2017. They show a high debt/equity ratio for year 2018. This would indicate an aggressive internal approach to finance company growth with debt. No other discrepancies were noted in their financials that were provided.

### 4. T.I.B.A LLC.

Respondent provided confidential audited financials for the years 2018 and 2017. They show a very high debt/equity ratio for years 2018 and 2017. This would indicate a very aggressive internal approach to finance company growth with debt. They also have a Low Current ratio, under 1.0 for both 2018 and 2017. This would indicate they would have trouble pay off its obligations if they came due at any point. No other discrepancies were noted in their financials that were provided.

### 5. FlashParking, Inc.

Respondent provided confidential audited financials for the years 2018 and 2017. No discrepancies noted in their financials that were provided.

### 6. LCN, Inc.

Respondent provided confidential audited financials for the years 2018 and 2017. No discrepancies noted in their financials that were provided.

### **General Comments:**

### Net Working Capital

When the value of Current Assets is less than Current Liabilities (Negative Net Working Capital), a concern is raised as to whether sufficient short term assets are on hand to cover short term liabilities, as they become due, without having to liquidate long term or other non-current assets that would otherwise be required for ongoing operations.

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### Page 3

April 1, 2020

Financial Review for RFP PNC2119994R1- Parking Access and Revenue Control Equipment and Maintenance

### Goodwill

This is an intangible asset derived from the excess of cost paid over market value in a business acquisition. The excess cost is considered an asset under the presumption that the whole of a business, including the acquired synergy, is worth more than the sum of the acquired parts. The accounting theory presumes that this synergy will continue to benefit future periods and it is therefore accounted for as an intangible asset. If the value of Goodwill is deemed impaired, that portion is written-off. When Goodwill and other intangibles or non-business assets (like art), become significant portions of asset value, a concern could arise as to whether relevant asset value is sufficient in the event of a County claim. For the purpose of this report, all Goodwill and Intangibles in excess of 10% of Total Asset value have been reported.

Attachment – Matrix

Exhibit B Page 13 of 61

## FINANCIAL REVIEW SUMMARY

Parking Access and R	Parking Access and Revenue Control Eguiptment and Maintenance
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Firm Name:	DESIGNA Access Corporation	
Confidentiality	W	

				Net							
	Financials Provided	Audited?	Gross Revenue	Income/(Loss)	Equity (E)	Current Assets (CA)	Equity (E) Current Assets (CA) Current Liabilities (CL) Total Assets (TA) Total Liabilities (TL) Debt to Equity Rati	Total Assets (TA)	Total Liabilities (TL)	o (TL/E)	Current Ratio (CA/Cl) <sup>2</sup>
FY Ending February											
28, 2019	Balance Sheet and Income Statement	Y · Audited	24,397,737	153,027	953,234	15,511,645	18,986,853	18,540,238	18,540,238	19.45	0.82
FY EndingFebruary											
28, 2018	Balance Sheet and Income Statement	Y · Audited	18,212,724	1,831	(3,366,261)	12,083,230	17,006,066	13,639,805	13,639,805	(4.05)	0.71
Comments:											

Met         Met <th>Financials Provided Audited Financials</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>	Financials Provided Audited Financials									
Financials         Audited         Audited?         Gross Revenue         Income/(Loss)         Equity (E)         Current Assets (C)         Current Labilities (CI)         Total Labilities (CI)         Debt to Equity Ratio (T/g) <sup>1</sup> Current Ratio (CA)           Audited Financials         Y Audited         43,147537         2,739,618         20,356,143         21,311,617         10,866,506         43,455,540         28,988,577         141           Audited Financials         Y Audited         43,759,992         47,605         24,820,100         16,007,815         23,173,349         54,1439         141	Financials Provided Audited Financials		Net							
Audited Financials         Y Audited         43,147,537         2,799,678         20,556,143         21,371,617         10,864,506         49,454,540         28,888,357         1,41           Audited Financials         Y Audited         43,759,962         47,665         24,820,190         16,201,815         53,171,844         35,4149         1,99	Audited Financials Y	GLOSS REVENUE	Income/(Loss)	Equity (E)	Current Assets (CA)	Current Liabilities (CL)	Total Assets (TA)	Total Liabilities (TL)	Debt to Equity Ratio (TL/E) <sup>1</sup>	Current Ratio (CA/CL) <sup>2</sup>
Audited Financials         Y Audited         43,147,537         2,395,618         21,371,617         10,864,506         43,454,540         28,883,57         1,41           Audited Financials         Y Audited         43,759,962         47,666         24,820,190         16,207,815         53,171,344         35,414,99         1,43	Audited Financials Y									
Audited Financials y Audited 43,759,62 416,695 17,756,465 24,820,190 16,207,815 53,171,384 35,414,919 1.99		43,147,537	2,799,678	20,556,143	21,371,617	10,864,506	49,454,540	28,898,357	1.41	19
Audited Financials y Audited 43,759,962 476,695 17,756,465 24,820,190 16,207,815 53,171,384 35,414,919 1.99	FY Ending December									
	Audited Financials Y.	43,759,962	476,695	17,756,465	24,820,190	16,207,815	53,171,384	35,414,919	1.99	15

Confidentiality:	N										
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	Financials Provided	Audited?	Gross Revenue	Income/(Loss)	Equity (E)	Current Assets (CA)	Current Liabilities (CL)	Total Assets (TA)	Total Liabilities (TL)	Gross Revenue Income/(Loss) Equity (E) Current Assets (CA) Current Liabilities (CL) Total Assets (TA) Total Liabilities (TL) Debt to Equity Ratio (TL/E) <sup>1</sup> Current Ratio (CA/CL)	Current Ratio (CA/CL) <sup>2</sup>
FY Ending											
Jecember 31, 2018	Audited Financials	Y - Audited	41,649,840	(2,483,420)	5,417,839	34,828,268	30,275,309	38,017,258	32,599,419	6.02	1.15
Ending December											
31, 2017	Audited Financials	Y · Audited	47,688,764	127,657	7,901,259	27,524,449	17,580,928	29,826,487	21,925,228	2.77	1.57

Confidentiality	Ver										
CONTRACTORINA	2			Net							
	Financials Provided	Audited?	Gross Revenue Income/(Loss)	Income/(Loss)	Equity (E)	Current Assets (CA)	Current Liabilities (CL)	Total Assets (TA)	Total Liabilities (TL)	Equity (E) Current Assets (CA) Current Liabilities (CL) Total Assets (TA) Total Liabilities (TL) Debt to Equity Ratio (TL/E) <sup>1</sup> Current Ratio (CA/CL)	Current Ratio (CA/CL) <sup>2</sup>
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31, 2017	Audited Financials	Y - Audited	いいのないで		の日の時間にし	and the state of t	and the state of the second	Section and the section of the secti	「「「「「「「」」」	49.68	097

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	Financials Provided	Audited?	Gross Revenue	Income/(Loss)	Equity (E)	Current Assets (CA)	Current Liabilities (CL)	Total Assets (TA)	Total Liabilities (TL)	Gross Revenue Income/(Loss) Equity (E) Current Assets (CA) Current Liabilities (CL) Total Assets (TA) Total Liabilities (TL) Debt to Equity Ratio (TL/E) <sup>1</sup> Current Ratio (CA/CL)	Current Ratio (CA/CL) <sup>2</sup>
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FlashParking, Inc.

Firm Name:

Firm Name:	LCN, INC.										
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	Financials Provided	Audited?	Gross Revenue	Income/(Loss)	Equity (E)	Current Assets (CA)	Current Liabilities (CL)	Total Assets (TA)	Total Liabilities (TL)	Income/(Loss) Equity (E) Current Assets (CA) Current Liabilities (CL) Total Assets (TA) Total Liabilities (TL) Debt to Equity Ratio (TL/E) <sup>1</sup> Current Ratio (CA/CL) <sup>2</sup>	Current Ratio (CA/CL) <sup>2</sup>
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Debt to Equity ratio is a measure of a company's financial leverage calculated by dividing its total liabilities by stockholders' equity. It indicates what proportion of equity and debt the company is using to finance its assets. A high debt/equity ratio generally means that a company has been aggressive in financing its growth with debt.
 The Current Ratio is a liquidity ratio that measures a company's ability to pay short-term obligations. The higher the current ratio, the more capable the company is of paying its objects that the company is using to finance that measures a company's ability to pay short-term obligations. The higher the current ratio, the more capable the company is of paying its obligations. A ratio under 1.0 suggests that the company would be unable to pay off its obligations if they came due at that point.

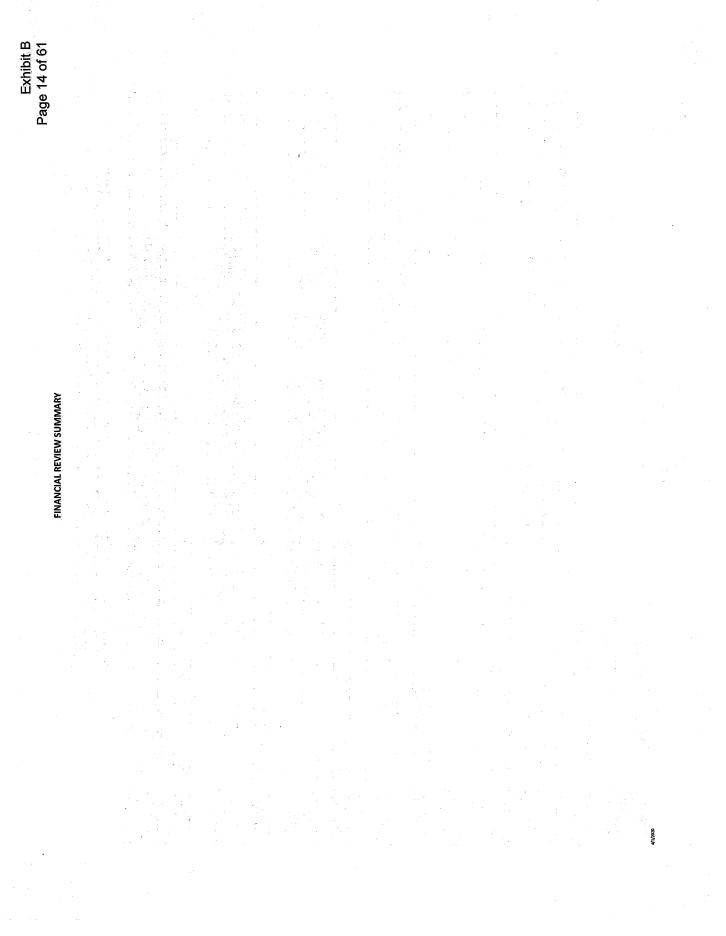


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Andrew J. Meyers County Attorney OFFICE OF THE COUNTY ATTORNEY Aviation Office 2200 SW 45<sup>th</sup> Street, Suite 101 Dania Beach, Florida 33312

954-359-6100 · FAX 954-359-1292

### MEMORANDUM

**TO:** Lucho Jaramillo, Purchasing Agent

FROM: Carlos A. Rodriguez-Cabarrocas, Assistant County Attorney

Carlos A. Rodriguez-Cabarrocas

**DATE:** April 24, 2020

**RE:** Litigation History - Parking Access and Revenue Control Equipment and Maintenance/RLI No. PNC2119994R1

The Office of the County Attorney completed its litigation review for each vendor submittal in connection with the above-referenced RLI. Our findings for each vendor are set out below.

### 1. Designa Access Corporation ("Designa")

Designa did not disclose any litigation with the County within the past five (5) years, and our Office independently verified that there was no litigation between Designa and the County within this timeframe. Designa also did not disclose any "material" cases filed, pending, or resolved during the three (3) years prior to the solicitation response due date. In reliance on this representation, our Office did not conduct a review of any lawsuits involving Designa.

### 2. FlashParking, Inc. ("FlashParking")

FlashParking did not disclose any litigation with the County within the past five (5) years, and our Office independently verified that there was no litigation between FlashParking and the County within this timeframe. FlashParking disclosed one case that it deemed "material" that was filed, pending, or resolved during the three (3) years prior to the solicitation response due date. Our Office reviewed the "material" case disclosed by FlashParking, which is pending and alleges that FlashParking breached a contract by cancelling an order. We do not believe that this case presents a matter of concern for the solicitation.

Broward County Board of County Commissioners Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine broward.org/legal

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### Litigation History Parking Access and Revenue Control Equipment and Maintenance RLI No. PNC2119994R1

### 3. HUB Parking Technology USA, Inc. ("HUB")

HUB disclosed two cases that it deemed "material" that were filed, pending, or resolved during the three (3) years prior to the solicitation response due date: *Orsi v. SP Corporation, HUB Parking Technology USA, Inc., and Broward County, Florida,* filed in the Circuit Court of the 17<sup>th</sup> Judicial Circuit in and for Broward County, Florida, and a related case filed in the United States District Court, Southern District of Florida<sup>1</sup>. HUB summarized both cases in its submittal.

These lawsuits are premised on alleged violations of the Fair and Accurate Credit Transaction Act ("FACTA") at Fort Lauderdale-Hollywood International Airport. FACTA prohibits merchants from printing credit card receipts that contain more than the last 5 digits of the card number or the card's expiration date. Under FACTA, customers may sue merchants who have willfully or negligently violated these requirements The County, HUB, and SP Plus (the vendor that manages the parking facilities at the airport) are named as defendants in the FACTA lawsuits. The County has asserted crossclaims against HUB and SP Plus for defense of the lawsuits and indemnification of any damages assessed against the County. It is the County's position that if there was a violation of FACTA, it was caused by HUB and/or SP Plus.

During discovery in the federal lawsuit, HUB responded as follows to an interrogatory propounded by the plaintiffs:

[QUESTION:] Explain in detail why, between October 27, 2016 and the present, more than the last five (5) digits of Plaintiffs and other customers' credit card and debit card account numbers were printed on point-of-sale customer transaction receipts at the Fort Lauderdale parking facility, and identify all documents that support your explanation.

RESPONSE: HUB Parking upgraded the parking system at the Fort Lauderdale parking facility on June 28, 2018 to be better able to record auto license plates in the WebParks software from version 7.0.2 to 7.0.5. The upgrade of the software required the upgrade of an EEProm hardware chip. The technician was supposed to use a Parameter file which told the machine what to do regarding printing certain information in the customer receipts. This file configured what to print on the receipt, such as printing the number of credit card digits. A Program file is supposed to tell the parking machine what to do; whether the machine is an entry or exit machine. Instead of using a new Parameter file, the technician upgrading the eleven machines used the pre-existing Parameter file which had been successfully used previously to program the machines. Based on what

<sup>&</sup>lt;sup>1</sup> HUB is also involved in a federal lawsuit initiated by the County against its insurance carrier in which the County seeks insurance coverage in connection with the lawsuits disclosed by HUB. The insurance carrier brought HUB into the lawsuit as a third-party. The County has asserted no claim against HUB in the case.

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### Litigation History Parking Access and Revenue Control Equipment and Maintenance RLI No. PNC2119994R1

appeared to be a malfunction it was assumed that the existing Parameter file and the new upgrade were incompatible. Out of the total number of pay stations at the parking facility, eleven machines that were reprogrammed may have misread the Program file and printed eight digits instead of five digits between June 28, 2018 and October 31, 2018. HUB Parking was informed about the malfunction by SP Plus on October 30, 2018 and within 24 hours the HUB Parking technician Rolan Patterson repaired the malfunction in the same eleven machines that had been reprogrammed on June 28. Other than HUB Parking verification on October 31 that eleven (11) parking payment machines were issuing receipts with eight (8) digits, HUB Parking cannot replicate any other receipts with more than five (5) digits of the customer credit or debit card number.

On April 5, 2019 three of the same machines that malfunctioned in the first period were replaced, which required them to be reprogrammed. After the initial reprograming of the three machines, credit card receipts were obtained from each machine and showed that only five (5) digits were being printed on the receipts. On the same day a different technician adjusted the replacement and reprogramed machines, using the same pre-existing Parameter file which may have caused the earlier malfunction which then caused more than five digits to print on the receipts. SP Plus advised HUB Parking of the second malfunction on April 22, 2019 and within the same day the replacement machines were fixed so that no more than five digits were issued by the three replacement machines.

The Evaluation Committee must decide whether HUB's actions related to the Orsi lawsuits, as set forth above, may warrant a finding that HUB is nonresponsible for purposes of this RLI.

An attorney from our Office will be present at the initial Evaluation Committee Meeting to address any concerns relating to the *Orsi* lawsuits.

### 4. LCN, Inc. d/b/a Consolidated Parking, LLC ("Consolidated Parking")

Consolidated Parking did not disclose any litigation with the County within the past five (5) years, and our Office independently verified that there was no litigation between Consolidated Parking and the County within this timeframe. Consolidated Parking disclosed one case that it deemed "material" that was filed, pending, or resolved during the three (3) years prior to the solicitation response due date. Our Office reviewed the "material" case disclosed by Consolidated Parking, which alleged that Consolidated Parking breached a shareholder agreement. The case has been resolved, and we do not believe that it presents a matter of concern for the solicitation.

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### Litigation History Parking Access and Revenue Control Equipment and Maintenance RLI No. PNC2119994R1

### 5. Scheidt & Bachmann USA, Inc. ("S&B")

S&B did not disclose any litigation with the County within the past five (5) years, and our Office independently verified that there was no litigation between S&B and the County within this timeframe. S&B also did not disclose any "material" cases filed, pending, or resolved during the three (3) years prior to the solicitation response due date. In reliance on this representation, our Office did not conduct a review of any lawsuits involving S&B.

### 6. TIBA Parking Systems, LLC ("TIBA")

TIBA did not disclose any litigation with the County within the past five (5) years, and our Office independently verified that there was no litigation between TIBA and the County within this timeframe. TIBA also did not disclose any "material" cases filed, pending, or resolved during the three (3) years prior to the solicitation response due date. In reliance on this representation, our Office did not conduct a review of any lawsuits involving TIBA.

The Evaluation Committee must review the submittals, this memorandum, and any questions/answers at the Evaluation Committee Meeting when determining whether any of the vendors are responsible for purposes of this RLI.

Should you have any questions or require further information regarding this memorandum, please do not hesitate to contact our Office.

CRC/ch

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AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport 2200 SW 45th Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

### MEMORANDUM

TO: Lucho Jaramillo, Purchasing Agent

- FROM: Tracy Meyer Aviation Risk Insurance and Contracts Manager
- DATE: June 29, 2020

TPace Approved: tol Aviation Department Tracy Meyer, Esq. **Risk Insurance and** 

**Contracts Manager** 

RE: Parking Access and Revenue Control Equipment and Maintenance PNC2119994R1

We have reviewed the certificates of insurance you provided from the proposers of the above referenced solicitation.

The solicitation required proposers to either provide proof of insurance (even if the minimum limits are not met), or a letter stating that the proposer can comply with the minimum insurance requirement if awarded the contract.

The requirements in this solicitation are: **Commercial General Liability** Commercial/Business Auto Liability Workers Compensation/Employers' Liability Software/ Tech E&O Property Insurance Cyber Insurance

Below is a summary of the compliance of the proposers:

Name of Firm	Responsibility	Information Remarks
Designa:	Provided	Non-Compliant
FlashParking Inc:	Provided	Non-Compliant
HUB:	Provided	Non-Compliant
LCN:	Provided	Non-Compliant
Scheidt and Bachmann USA, Inc:	Provided	Non-Compliant
TIBA LLC:	Provided	Non-Compliant

All certificates of insurance must name Broward County as an additional insured and the certificate holder using the following address; 2200 SW 45th Street, Suite 101, Dania Beach, FL 33312.

Please advise at once if any of the proposers takes exception to any of the County's insurance standard terms and conditions.

> Broward County Board of County Commissioners Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine www.broward.org/www.fll.net

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AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport 2200 SW 45th Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

### MEMORANDUM

DATE: July 21, 2020

TO: Salustio Jaramillo, Purchasing Agent **Purchasing Division** 

FROM: Broward County Aviation Department Information Systems

### SUBJECT: RLI No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance - Additional Request Vendor Security Questionnaire (VSQ) Review

This memorandum provides a summary of the Vendor Security Questionnaires (VSQs) submitted in response to the June 19, 2020 additional request from the Selection Committee for the above referenced solicitation. Staff also reviewed the original RLI VSQ response for (1) vendor who did not respond to the June 19th additional request.

This review is intended to disclose to the Evaluation Committee whether the respondent submitted a response to the June 19, 2020 request, and to make the committee members aware of any apparent security issues. This review is not intended to express an opinion on the respondent's responses.

A PCI Responsibility Matrix was submitted by each respondent. It must be reviewed with all stakeholders involved in PCI compliance for the Parking environment at BCAD, so that each party can attest to, provide feedback on, and sign into contractual agreements to ensure overall compliance.

Vendor Name	Provided/ Not Provided	Comments
Designa	Provided	Note: Vendor provided a response to the June 19, 2020 request
	46693.7153	Page 1_VSQ Vendor Name:
	factsage official	Vendor Type (Manufacturer, Reseller, Other? If Other, specify.):
	SciPge of the	Technical Contact Name / Email Address: Product Name / Description:
	intaku sel - Sur	Solicitation Number and Title (If applicable):
	t <b>ale-liter,</b> educati	Vendor Response: Left blank
bri, ната	e arrai i c	<b>BCAD Response:</b> <u>No update from original VSQ submitted.</u> This information is critical for BCAD vendor management purposes. <u><b>Redirect</b></u> to BCAD Project Manager to ensure this information is completed if this vendor is selected.

The following comments are brought to the attention of the Evaluation Committee:

Broward County Board of County Commissioners Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine www.broward.org/www.fll.net

Designa	Provided	Section 1. 25. External Parties. Does your organization outsource any aspect of the service to a third party? Vendor Response: "Yes" – Comments: "Credit Card Processing" BCAD Response: <u>Redirect</u> to BCAD Project Manager to ensure copies of PCI DSS Responsibility Matrix, AOCs and/or AOVs for all
		vendors are received if this vendor is selected. Also ensure vendor additional PCI DSS third-party relationships are clearly defined (e.g., sub-contractor vs. additional separate contract with BCAD). The ETS Security Requirements memo includes a check box under Managed Services; Professional Services; Third-Party Vendors and Payment Card Industry (PCI) Compliance (attached).
Designa	Provided	Section 1. 26. External Parties. Does your organization utilize any off-shore resources for development? Provide location(s). Vendor Response: "Yes" – Comments: "Germany and Austria"
		<b>BCAD Response:</b> <u><i>Redirect</i></u> to BCAD Project Manager for follow-up with County Attorney, if needed.
Designa	Provided	<ul> <li>Section 1. 29. External Parties. Will any third party vendors process, access, transmit or store any County data?</li> <li>Vendor Response: "Yes" – Comments: "Credit Card Processing"</li> <li>BCAD Response: Same as Section 1. 25. above</li> </ul>
Designa	Provided	Section 1. 34. Regulatory Compliance. Is this product or solution currently certified by any security standards? (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation
		<b>Vendor Response:</b> "Yes" – Comments: "Provided within our response"
		<b>BCAD Response:</b> Same as Section 1. 25. above <u>Note</u> : Missing copy of PCI DSS Report of Validation (AOV) for DESIGNA payment application. P.235 from RLI response includes a copy of a Certificate of PCI Compliance for Payment Application Data Security Standard v3.2, DESIGNA Payment Module, Application Version 3.0, by Adsigo AG, QSA Company, Revalidation date: July 21, 2020. P.236 from RLI response includes a copy of Service Provider PCI Attestation of Compliance (AOC) for ADVAM PTY LTD ABN 97 112 038 169 dated May 3, 2019, validated by third-party QSA.

Designa	Provided	Section 2. 4.b) Supporting Documentation. Network connectivity requirements
		Vendor Response: No response – No Comments
		<b>BCAD Response:</b> No update from original VSQ submitted. This information is critical if network connectivity is needed. <u><b>Redirect</b></u> to BCAD Project Manager to ensure this information is completed if this vendor is selected.
Designa	Provided	Section 2. 12 Secure Software Design/Testing. Is the software currently certified by any security standards? (e.g., PCI-DSS). Provide standards.
		<b>Vendor Response:</b> "Yes" – Comments: "Provided within our response"
		BCAD Response: Same as Section 1. 25. above
Designa	Provided	Section 2. 31. Encryption. Does software have built-in encryption controls? List controls.
		Vendor Response: "Yes" – Comments: "Refer to Credit Card Processor"
		<b>BCAD Response:</b> This question refers to the "vendor" software solution.
		<b><u>Redirect</u></b> to BCAD Project Manager to ensure this information is completed if this vendor is selected. The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
Designa	Provided	Section 2. 39 Regulatory Compliance. Is the software or solution currently certified by any security standards (e.g., PCI-DSS, HIPAA)? Provide proof of compliance documentation.
		<b>Vendor Response:</b> "Yes" – Comments: "Provided within our response"
		BCAD Response: Same as Section 1. 25. above

Scheidt & Bachmann USA Inc.	Provided	Note: Vendor provided a response to the June 19, 2020 request Section 1. 12. Payment Card Industry (PCI) environments - Applicable only if Organization or its third party partner processes or collection credit card information. Does your organization maintain a file
		integrity monitoring program to ensure critical file system changes are monitored and approved with respect to Confidential County data?
		Vendor Response: No response – No Comments
		<b>BCAD Response:</b> <u>No update from original VSQ submitted</u> <u><b>Redirect</b></u> to BCAD Project Manager to ensure this information is completed if this vendor is selected. The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
Scheidt & Bachmann USA Inc.	Provided	Section 1. 26. External Parties. Does your organization utilize any off- shore resources for development? Provide location(s).
OOA me.		Vendor Response: "Yes" – Comments: "Germany"
		<b>BCAD Response:</b> <u><i>Redirect</i></u> to BCAD Project Manager for follow-up with County Attorney, if needed

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Scheidt &	Provided	Section 1. 34. Regulatory Compliance. Is this product or solution
Bachmann		currently certified by any security standards? (e.g., PCI-DSS, HIPAA).
USA Inc.		Provide proof of compliance documentation
		Vendor Response: No response – Comments: "Attached"
		BCAD Response: <u>No update from original VSQ submitted</u> .
		NOTE: No actual copies of PCI AOCs/ROVs for vendor or vendor third party partners were included.
		P. 76 references screen shot from PCI DSS website for Entervo
		Bankcard Payment Application v3.0.x, Acceptable for New
		Deployments, Revalidation date 25 Aug 2017 & Expiry Date 28 Oct 2019.
		P. 77 references Grant Thornton New Zealand Ltd Certificate of
		compliance PCI DSS v3.2.1 for Payment Express Inc. (US), Level 1
		Service Provider, Validation: 10 October 2018, Renewal 10 October 2019.
		P. 97 references Transaction Services Contact & Contactless EMV
		Readers included and states "Owner to set up agreement directly
		with Transaction Services to determine transaction fees."
		p. 347 references screen shot from PCI DSS website for Entervo
		Bankcard Payment Application, v4.0x, PCI DSS v3.2, Acceptable for
		New Deployments, Revalidation Date: 31 Jan 2021, Expiry Date: 28 Oct 2022
		<b><u>Redirect</u></b> to BCAD Project Manager to ensure copies of PCI DSS
		Responsibility Matrix, AOCs and/or AOVs for all vendors are received
		if this vendor is selected. Also ensure vendor additional PCI DSS
		third-party relationships are clearly defined (e.g., sub-contractor vs.
		additional separate contract with BCAD). The ETS Security
		Requirements memo includes a check box under Payment Card Industry
		(PCI) Compliance (attached).
Scheidt &	Provided	Section 2. 5. Software Installation Requirements. Can the application
Bachmann USA Inc.		and service account used to run the application be configured to run as non-privileged users (e.g., non-Local Administrator rights)
		<b>Vendor Response:</b> "No" – Comments: "The software is installed
		and runs under the local administrator account. The password for this account is known only to the application."
		BCAD Response: ETS standards are to run applications under regular
		user privileges not local administrator privileges.
		<u><b>Redirect</b></u> to BCAD Project Manager to determine if risk is accepted
		and provide an update for the BCAD Risk Register if this vendor is selected.

Scheidt & Bachmann USA Inc.	Provided	Section 2. 39. Regulatory Compliance. Is the software or solution currently certified by any security standards (e.g., PCIDSS, HIPAA)? Provide proof of compliance documentation. Vendor Response: "Yes" – Comments: "Attached"
		BCAD Response: Same as response for Section 1. 34 above
Scheidt & Bachmann USA Inc.	Provided	Section 3. 21. Regulatory Compliance, Is the hardware currently certified by any security standards (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation.
		<b>Vendor Response:</b> "Yes" – Comments: "PARCS application is PCI- PADSS. EMV solution proposed (provided by our partner Transaction Services) is a PCI-DSS Level 1 certified provider."
		BCAD Response: Same as response for Section 1. 34 above
FlashParking	Provided	Note: Vendor provided a response to the June 19, 2020 request
		Section 1. 5. a) Supporting Documentation, Provide the following: Workflow diagram of stored or transmitted information (for SaaS ar Hosting Services only)
		Vendor Response: "No" – Comments: "This requires a signed nda"
		<b>BCAD Response:</b> <u>Vendor updated original VSQ submitted</u> <u><b>Redirect</b></u> to BCAD Project Manager to ensure this information is completed if this vendor is selected since the Vendor responded yes under Section 1. Question 1.
FlashParking	Provided	Section 1. 5. c) Supporting Documentation, Provide the following: Secure Coding standard (for Application Development Services on
		<b>Vendor Response:</b> "No" – Comments: "To provide upon award, with clarification of request"
		<b>BCAD Response:</b> <u><i>Redirect</i></u> to BCAD Project Manager to ensure this information is completed if this vendor is selected since the Vendor responded yes under Section 1. Question 3.
FlashParking	Provided	Section 1. 5. d) Supporting Documentation, Provide the following: Application Coding standard (for Application Development Service only)
		<b>Vendor Response:</b> "No" – Comments: "To provide upon award, with clarification of request"
		BCAD Response: Same as Section 1.5.c) above

FlashParking	Provided	Section 1. 9. Audit Reporting Requirements. Does your organization have a current Service Organization Controls (SOC) II, Type II report, inclusive of all five Trust Service Principles (Security, Availability, Processing Integrity, Confidentiality, and Privacy?). (Note: For any SaaS or hosted application, the SOC report should be for the organization or application specifically, not the datacenter only.) Vendor Response: "No" – Comments: "MS Azure may have the ability to produce this."
		<b>BCAD Response:</b> <u>Redirect</u> to BCAD Project Manager to clearly define vendor relationship with MS Azure (e.g., sub-contractor vs. additional separate contract with BCAD) and obtain PCI DSS Responsibility Matrix, AOCs and/or AOVs for all third-party vendors, if applicable. The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
FlashParking	Provided	Section 1. 23. External Parties. Does your organization have Disaster Recovery and Continuity of Operations plans where third-party dependencies are concerned?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure." BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 34. Regulatory Compliance, Is this product or solution currently certified by any security standards? (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation
		Vendor Response: "Yes"
		<b>BCAD Response:</b> <u>This information was updated from the originally</u> <u>submitted VSQ.</u> P.174 from RLI response includes a copy of the PCI Service Provider AOC for FlashParking, Inc. dated January 31, 2020, validated by third-party QSA. No copies of PCI AOC for Payment Express/Windcave were provided for the vendor listed as part of the solution. <u><b>Redirect</b></u> to BCAD Project Manager to ensure copies of PCI DSS Responsibility Matrix, AOCs and/or AOVs for all vendors are received if this vendor is selected. Also ensure vendor additional PCI DSS third-party relationships are clearly defined (e.g., sub-contractor vs. additional separate contract with BCAD). The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).

FlashParking	Provided	Section 1. 32. Information Security Policy & Procedures. Does your organization have documented standard policies and procedures for security and compliance?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 59. Data Security. Are employees allowed to connect to customer environments remotely (e.g., working from home, public Wi-Fi access)?
		<b>Vendor Response:</b> "N/A" – Comments: "Flashparking is a cloud based environment which allows access through any computer or mobile device."
		<b>BCAD Response:</b> <u>Redirect</u> to BCAD Project Manager to ensure security alerts are in alignment with PCI DSS requirements. The ETS Security Requirements memo includes a check box under Remote Access (attached).
FlashParking	Provided	Section 1. 74. Vulnerability Assessment and Remediation. Does your organization have a security patch management cycle in place to address identified vulnerabilities?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 79. Security Monitoring. Does your organization periodically review system activity? Provide frequency.
		Vendor Response: "No" – Comments: "Not unless alerted."
		<b>BCAD Response:</b> <u>Redirect</u> to BCAD Project Manager to ensure security monitoring aligns with PCI DSS requirements. The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
FlashParking	Provided	Section 1. 96. Antivirus. Does your organization have a process for detecting and reporting malicious software?
		Vendor Response: "N/A" – Comments: "Not required on the front end."
		<b>BCAD Response:</b> <u>Redirect</u> to BCAD Project Manager to ensure antivirus aligns with PCI DSS requirements. The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).

FlashParking	Provided	Section 1. 97. Network Defense and Host Intrusion Prevention Systems. Does your organization have any Intrusion Protection System (IPS) in place for your environment?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure." BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 104. Incident Management. In the event of a major security incident or data breach, do you provide the County a third party digital forensics/incident report?
		<b>Vendor Response:</b> "No" – Comments: "MS Azure may have the ability to produce this."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 106. Incident Management. Does your organization have a formal incident response and data breach notification plan and team?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 111. Disaster Recovery Plan & Backups. Does your organization have a mechanism to back up critical IT systems and Confidential data? Describe.
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 112. Disaster Recovery Plan & Backups. Does your organization periodically test your backup/restoration plan by restoring from backup media?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above
FlashParking	Provided	Section 1. 113. Disaster Recovery Plan & Backups. Does your organization have a disaster recovery plan?
		Vendor Response: "Yes" – Comments: "Managed by MS Azure."
		BCAD Response: Same as Section 1. 9. above

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LCN, Inc. dba Consolidated Parking Equipment (SKIDATA, Inc.)	Provided	Section 2. 1. REQUIRED: Will your organization provide SOFTWARE INSTALLED LOCALLY IN COUNTY NETWORK? Vendor Response: "No" BCAD Response: Vendor responded No, yet answered all the questions in Section 2. <u>Redirect</u> to BCAD Project Manager for clarification of Reseller roles and responsibility for the solution proposed if this vendor is selected.
LCN, Inc. dba Consolidated Parking Equipment (SKIDATA, Inc.)	Provided	<ul> <li>Section 2. 5. Software Installation Requirements. Can the application and service account used to run the application be configured to run as non-privileged users (e.g., non-Local Administrator rights)</li> <li>Vendor Response: "No"</li> <li>BCAD Response: ETS standards are to run applications under regular user privileges not local administrator privileges.</li> <li><u>Redirect</u> to BCAD Project Manager to determine if risk is accepted and provide an update for the BCAD Risk Register if this vendor is selected.</li> </ul>

LCN, Inc. dba Consolidated Parking Equipment (SKIDATA, Inc.)	Provided	<ul> <li>Section 2. 12 Is the software currently certified by any security standards? (e.g., PCIDSS). Provide standards</li> <li>Vendor Response: "Yes"</li> <li>BCAD Response: Yendor updated their original response MOTE: p.4 or Original response references separate contracts are required for Windcave, SMS Valet and ParkMobile; p. 178 PCI v3.2.1 Service Provider AOC for Windcave, p. 187 ROC completion date October 7, 2019; p. 277 SKIDATA Parking.Logic v12.00.xx PCI PDSS / PA DSS v.10.02, 13.06.2018, Implementation Guide; p. 338 references SKIDATA PARKING.LOGIC 10.00.xx PCI PA-DSS OUT OF SCOPE WHITE PAPER; p. 417 PCI Qualified Integrator and Reseller (QIR), Jorge Aparico, Certificate Number: 601-774, Expires 08 March 2021; p. 418 PCI v3.2 PA-DSS Attestation of Validation, Parking Logic v12.00.xx, p. 424 PA-DSS AOV dated 22 June 2018; Note: No PCI Service Provider AOC for 3C Integra P2PE Solution, SMS Valet, ParkMobile from proposer.</li> <li>Redirect to BCAD Project Manager to ensure current copies of PCI DSS Responsibility Matrix, AOCs and/or AOVs for all vendors are received if this vendor is selected. Also ensure vendor additional PCI DSS third-party relationships are clearly defined (e.g., sub-contractor vs. additional separate contract with BCAD). The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).</li> </ul>
LCN, Inc. dba Consolidated Parking Equipment (SKIDATA)	Provided	<ul> <li>Section 2. 15. Is your organization outsourcing any aspect of the service to a third party?</li> <li>Vendor Response: "No"</li> <li>BCAD Response: <u>Vendor updated their original response</u> - Same as Section 2. 12 above</li> </ul>

LCN, Inc. dba Consolidated Parking Equipment SKIDATA, Inc.)	Provided	Section 2. 39. Is the software or solution currently certified by any security standards (e.g., PCI-DSS, HIPAA)? Provide proof of compliance documentation. Vendor Response: <i>Yes</i> " BCAD Response: <u>Vendor updated their original response</u> - Same as Section 2. 12 above
LCN, Inc. dba Consolidated Parking Equipment (SKIDATA, Inc.)	Provided	<ul> <li>Section 3. 21. Regulatory Compliance, Is the hardware currently certified by any security standards (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation.</li> <li>Vendor Response: "Yes" – Comments: "See attached implementation guide."</li> <li>BCAD Response: Same as Section 2. 12 above</li> </ul>
TIBA Parking Systems	Provided	<ul> <li>Note: Vendor provided an updated VSQ and PXUS 2018 PCI- DSS-v3 2 1-AOC Final, TIBAArchitecturev0.3 Final Docs with the response to the June 19, 2020 request</li> <li>Section 1. 4. Question 4 - REQUIRED: Will your organization provide MANAGED OR PROFESSIONAL SERVICES (UNSUPERVISED BY COUNTY PERSONNEL)? (Note: "Managed or Professional Services" used herein refers to unsupervised (by County personnel) installation, configuration, and maintenance or monitoring of systems, applications or infrastructure related to your organization's proposed solution.)</li> <li>Vendor Response: "No"</li> <li>BCAD Response: Vendor responded N/A to questions 5 through 133 with comments on question 5: Section 1 is N/A. TIBA proposed an On- Premise Solution to meet RFP Specification. TIBA does however offer a Cloud-Based Solution utilizing Amazon Web Services (AWS) if preferred. <u>Redirect</u> to BCAD Project Manager to ensure the following: Section 1 is completed in its entirety if vendor selected. The ETS Security Requirements memo includes a check box under Managed Services; Professional Services; Third-Party Vendors (attached).</li> </ul>

TIBA Parking	Provided	Section 1. 10. Payment Card Industry (PCI) environments -
Systems		Applicable only if Organization or its third party partner processes or collection credit card information. Does your organization have a current Payment Card Industry (PCI) certification (e.g., Attestation of Compliance (AOC), Self- Assessment Questionnaire (SAQ))? Vendor Response: " <i>N/A</i> "
		<b>BCAD Response:</b> <u>Vendor updated original VSQ submitted</u> <u>Note:</u> p. 280-281 Exhibit Q - PCI Certifications references Payment Express Limited, Solution Name: Payment Express P2PE Solution, Reference #: 2019-00742.004, Version: P2PE v2.0, P2PE Assessors: UL Transaction Security PTY Ltd., Regions Served: GLOBAL,
		Reassessment Date: 16 Jul 2022 p. 282 references <u>Trustwave PCI DSS Certificate of Compliance</u> - Windcave Inc (US) SP Level 1, PCI DSS v3.2.1, expires October 7, 2020
		<ul> <li>p. 283 is a copy of a PCI DSS QIR Certificate for Paul Hays - Certificate Number: 601-412, Expiration Date: 30 July 2019</li> <li>p. 33 reference TIBA as PCI PA-DSS 3.2 Certified Manufacturer and IT staff are Qualifed Integrator and Reseller (QIR) Certified</li> <li>p. 44 references Additional PCI Compliance Details: Chauntry Online</li> </ul>
		Booking/Frequent Parker Program; TIBA Parking Systems; ZipPark Valet Management System (P2PE) using Ingenico's iCMP. Also states "Valet system uses a PCI Level Credit Card provider separate from Chauntry and TIBA." <u>Note</u> : No PCI DSS Service Provider AOC for Chauntry or ZipPark
		provided by proposer <u>Redirect</u> to BCAD Project Manager to ensure current copies of PCI DSS Responsibility Matrix, AOCs and/or AOVs for all vendors are received as well as any vendor additional PCI DSS third-party
		relationships are clearly defined (e.g., sub-contractor vs. additional separate contract with BCAD). The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
TIBA Parking Systems	Provided	Section 1. 11. Payment Card Industry (PCI) environments - Applicable only if Organization or its third party partner processes or collection credit card information. Will the product or solution process or collect credit card information?
		Vendor Response: <i>"N/A"</i>
		<b>BCAD Response:</b> <u>Vendor updated original VSQ submitted</u> This response conflicts with documentation submitted within the vendor response. See Section 1. 10. above

TIBA Parking	Provided	Section 1. 12. Payment Card Industry (PCI) environments - Applicable
Systems		only if Organization or its third party partner processes or collection credit card information. Does your organization maintain a file integrity monitoring program to ensure critical file system changes are monitored and approved with respect to Confidential County data?
		Vendor Response: <i>"N/A"</i>
		<b>BCAD Response:</b> <u>Vendor updated original VSQ submitted</u> This response conflicts with documentation submitted within the vendor response. See Section 1. 10. above
TIBA Parking Systems	Provided	Section 1. 34. Regulatory Compliance. Is the product or solution currently certified by any security standards? (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation.
		Vendor Response: "N/A"
		<b>BCAD Response:</b> <u>Vendor updated original VSQ submitted</u> This response conflicts with documentation submitted within the vendor response. See Section 1. 10. above
TIBA Parking Systems	Provided	Section 2. 15. Secure Software Design/Testing. Is your organization outsourcing any aspect of the service to a third party?
		Vendor Response: "No"
		<b>BCAD Response:</b> This response conflicts with documentation submitted within the vendor response. Same as Section 1. 10. above
TIBA Parking Systems	Provided	Section 2. 39. Is the software or solution currently certified by any security standards (e.g., PCI-DSS, HIPAA)? Provide proof of compliance documentation.
		<b>Vendor Response:</b> "Yes" – Comments: "Please see submittal Exhibit Q"
		BCAD Response: Same as Section 1. 10. above

TIBA Parking Systems	Provided	Section 3. 21. Regulatory Compliance. Is the hardware currently certified by any security standards? (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation.
		<b>Vendor Response: "</b> Yes" – Comments: "TIBA is a PCI compliant PA-DSS 3.2 Certified Manufacturer and the proposed vendor for P2PE Credit Card Processing, Windcave (formerly Payment Express) is PA DSS compliant and uses DUKPT key management"
		BCAD Response: Same as Section 1. 10. above
HUB	Provided w/original RLI	<u>Note: Vendor did not provide a response to the June 19, 2020</u> request
	response	Section 1. 4. REQUIRED: Will your organization provide MANAGED OR PROFESSIONAL SERVICES?
		<b>Vendor Response:</b> "Yes" – Comments: "We will have a Proj Manager and a Dedicated Tech and Help Desk"
		<b>BCAD Response:</b> Questions 5 through 133 were left blank <u><b>Redirect</b></u> to BCAD Project Manager to ensure Section 1 is completed in its entirety if vendor selected. The ETS Security Requirements memo includes a check box under Managed Services; Professional Services; Third-Party Vendors (attached).
HUB	Provided w/original RLI	Section 2. 3. a) Supporting Documentation. Provide the following: a) Hardware and Software requirements (i.e. Operating System, CPUs, RAM).
	response	Vendor Response: Left blank
		<b>BCAD Response:</b> Vendor responded Yes for Software Installed Locally in County's network. <u>Redirect</u> to BCAD Project Manager to ensure this is completed in its entirety if vendor selected. The ETS Security Requirements memo includes a check box under Software Installed in County's Network (attached).
HUB	Provided w/original RLI	Section 2. 4. b) Supporting Documentation. Network connectivity requirements. Vendor Response: Left blank
	response	BCAD Response: Vendor responded Yes for Software Installed Locally in County's network. <u>Redirect</u> to BCAD Project Manager to ensure this is completed in its entirety if vendor selected. The ETS Security Requirements memo includes a check box under Software Installed in County's Network (attached).

HUB	Provided w/original RLI response	Section 2. 5. Software Installation Requirements. Can the application and service account used to run the application be configured to run as non-privileged users (e.g., non-Local Administrator rights) Vendor Response: " <i>No</i> "
		<b>BCAD Response:</b> ETS standards are to run applications under regular user privileges not local administrator privileges. <u>Redirect</u> to BCAD Project Manager to determine if risk is accepted and provide an update for the BCAD Risk Register if this vendor is selected.
HUB	Provided w/original RLI	Section 2. 15. Secure Software Design/Testing. Is your organization outsourcing any aspect of the service to a third party?
	response	<b>Vendor Response:</b> "Yes" – Comments: "P2PE Vendor – Windcave (formerly Payment Express)"
		<b>BCAD Response:</b> <u>Redirect</u> to BCAD Project Manager to ensure copies of PCI DSS Responsibility Matrix, AOCs and/or AOVs for all vendors are received if this vendor is selected. Also ensure vendor additional PCI DSS third-party relationships are clearly defined (e.g., sub-contractor vs. additional separate contract with BCAD). The ETS Security Requirements memo includes a check box under Payment Card Industry (PCI) Compliance (attached).
HUB	Provided w/original RLI	Section 2. 39 Regulatory Compliance. Is the software or solution currently certified by any security standards (e.g., PCI-DSS, HIPAA)? Provide proof of compliance documentation.
	response	Vendor Response: "Yes" – Comments: "PA-DSS"
		<b>BCAD Response:</b> Same as 2.15 above <u>NOTE</u> : No evidence of PCI AOV for WebPARCS v7.1.XX, v8.0 or Service Provider AOC for Windcave provided by proposer p. 93 references an upgrade to WebPARCS 8.0 with no evidence of PCI AOV
		p. 164 Exhibit 3 references "Proof of PA DSS ValidationWebPARCS and ZEAG Management System have PA-DSS 3.1 and 3.2 validations, respectively. Payment Express' P2PE solution is certified for v2.0 validationhttps://www.pcisecuritystandards.org/assessors_and_solution s/payment_applications"
		p. 165 references a <u>screen shot</u> from PCI DSS website for WebPARCS Version #: 7.1.X.X, Validated According to PA-DSS v3.1, 28 Oct 2019, <u>Expiry 28 Oct 2019</u> , Coalfire Systems, Inc. and a PA-DSS Compliance Statement

HUB	Provided w/original RLI response	Section 2. 1. REQUIRED: Will your organization provide HARDWARE? Vendor Response: Left blank
		<b>BCAD Response:</b> Vendor completed questions 1 through 23 for this section. <u>Redirect</u> to BCAD Project Manager to ensure this information is completed if this vendor is selected.
HUB	Provided w/original RLI response	<ul> <li>Section 3. 21. Regulatory Compliance. Is the hardware currently certified by any security standards? (e.g., PCI-DSS, HIPAA). Provide proof of compliance documentation.</li> <li>Vendor Response: "Yes" – Comments: "Approved HW on PCI Website – also Approved P2PE"</li> <li>BCAD Response: Same as Section Same as 2.15 above</li> </ul>

cc: Angela Scott, Information Systems Administrator, BCAD IS Natalie Foster Johnson, Information Systems Manager, BCAD IS Mary Johnson, Information Technology Specialist, BCAD IS John Pokryfke, Enterprise Director of Operations, BCAD Patti Clark, Enterprise Assistant Director of Operations, BCAD Ron Oster, Airport Manager, BCAD Operations Dedrie Registe, Contracts Grant Administrator Senior, BCAD Operations

## /Attachments

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**Vendor Reference Verification Form** 

Broward County Solicitation No. and Title:

PNC2119994R1 PARKING ACCESS AND RE	EVENUE CON	<b>FROL EQUIPN</b>	MENT AND	<u>MAINTENAN</u>	<u>CE</u>
Reference for: DESIGNA ACCESS COF					
Organization/Firm Name providing reference:					
MUSEUM OF SCIENCE + INDI	astry				
Contact Name: Epic PNTCZDic Tit	le: Senior M Garage 4	THEATER Refe	rence date:	217120	
Contact Email: LAIC - ANTCZAK @ MSIC	,4,CA40.0R	ے Con	tact Phone: -	173 941	2648
Name of Referenced Project: MUSEUM OF			CHICAGO		
Contract No. Date Services F	Provided:	,	Project An	nount:	
N/A 2/19	to ONGOIN	١G	\$260,000		
Vendor's role in Project: Prime Vendor	Subconsultant/S	ubcontractor			
Would you use this vendor again?	No If No	o, please specif	y in Additional	I Comments (be	elow).
Description of services provided by Vendor:	COMPLET	- INSTALL	, of Do		APrendl
SYSTEM IN MSI GARAGE. U	o cnitallo	KIT TEPA	NINALS,	6 APS,	wcfr -
STATION, TPAINING ON SOFTW	APG. Suppo	opt 4 55	puico ac	reemoni	•
Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable	
1. Vendor's Quality of Service			. 0		-
a. Responsive			X		
b. Accuracy			×		
c. Deliverables			β		
2. Vendor's Organization:	<b>F</b> -1		, ND		
a. Staff expertise b. Professionalism	H	H	揻	H	
c. Turnover		Ы	ĥ		
3. Timeliness of:					
a. Project			Д.		
b. Deliverables			jzi		
4. Project completed within budget			X		
5. Cooperation with:	_	_	Ĺ	_	
a. Your Firm b. Subcontractor(s)/Subconsultant(s)		Ц	KK I		
c. Regulatory Agency(ies)	⊢-	Ц	¥ <b>4</b>	t	
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Additional Comments: (provide on additional sheet if needed)

\*\*\*THIS SECTION FOR COUNTY USE ONLY\*\*\*

Verified via:	VERBAL	Verified by:	D. Registe

Division: BC Aviation Dept Date: 06/16/2020

Exhibit B Page 39 of 61



**Vendor Reference Verification Form** 

Broward County Solicitation No. and Title:

PNC2119994R1 PARKING ACCESS AND REVENUE CONTROL EQUIPMENT AND MAINTENANCE

Reference for: DESIGNA Access Corporation

Organization/Firm Name providing reference:

PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Contact Name:	Kyle Sundin	Title:	Ma	anager Airport P	Reference date:	03/03/20	)20
Contact Email:	ksundin@panyn.g	ov			Contact Phone:	212.435.3	804
Name of Refere	enced Project: Ne	wark Liberty Int	terna	ational Airport	Sec. 1		and the second
Contract No.	194 CONS. 1997-196	Date Services Pro	vide	d:	Project A	mount:	St bootine it
4600011027	10.0AU - 1	11/28/2016	to	03/03/2020	\$ 9,163,2	46.00	
Vendor's role in	Project: VPrime	Vendor Sul	bcon	sultant/Subcontra	ctor		and the second
Would you use t	his vendor again?	Yes	No	If No, please	specify in Addition	al Comme	nts (below).

Description of services provided by Vendor:

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables				
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover			$\mathbf{\nabla}$	
3.	Timeliness of: a. Project b. Deliverables		$\Box$		
4.	Project completed within budget			$\checkmark$	
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			$\mathbf{\nabla}$	

Additional Comments: (provide on additional sheet if needed)

Contract value above is for Equipment only. The System was put into revenue service progressively, with all Equipment being operational on October 21, 2019. The Contract also includes a six (6) year Maintenance Contract totaling \$11,192,024

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Verified via:	Х	EMAIL	VERBAL	Verified by: D. Registe	

Division: BC Aviation Dept. Date: 06/16/2020

Exhibit B Page 40 of 61



Vendor Reference Verification Form

Broward County Solicitation No. and Title:

PNC2119994R1 PARKING ACCESS AND REVENUE CONTROL EQUIPMENT AND MAINTENANCE

Reference for: DESIGNA Access Corporation

Organization/Firm Name providing reference:

Wilmington International Airport

Contact Name: M	iles Bielec	Title: P	arking Manager	Reference date:	04/21/2020
Contact Email: mb	pielec@usaparkingsystem	com		Contact Phone: 9	19 434 1707
Name of Reference	ed Project: Wilmington	Internatio	nal Airport		
Contract No.	Date Servi	ces Provide	ed:	Project An	nount:
	09/01/20	18 to	04/23/2020	\$ 400,000.	00
Vendor's role in Pro	ject: 🖌 Prime Vendor	Subco	nsultant/Subcontra	ictor	TRANS & CAMPAN

Would you use this vendor again? Ves

No If No, please specify in Additional Comments (below).

## Description of services provided by Vendor:

Replacement of Parking Access and Revenue Control System

	se rate your experience with the renced Vendor:		Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables				$\checkmark$	
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover					
3.	Timeliness of: a. Project b. Deliverables				$\checkmark$	
4.	Project completed within budget				$\checkmark$	
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsulta c. Regulatory Agency(ies)	nt(s)			$\mathbf{\nabla}$	

Additional Comments: (provide on additional sheet if needed)

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	Exh	ibi	t B
Page	41	of	61
Bid PNC		994	<sub>R1</sub>

Broward County Board of County Commissioners



**Vendor Reference Verification Form** 

Broward County Solicitation No. and Title:

PNC2119994R1 - Parking Access and Revenue Control Equipment and Maintenance

Reference for:

FLASH PAYKING Organization/Firm Name providing reference:

Platinum Parking

Platinum Pa	arking				1
Contact Name:	ESTEBAN	MEDINA T	itle: Fact LITY	MINGR Reference date:	4/20/2020
Contact Email:	Emedina	@ Platinum	Por King-US	Contact Phone:	(786) 233-3044
Name of Refere	nced Project:	BAYSIDE	MARKETPLACE		AND ANTHEON TO UNREAL
Contract No.	NHE COURSE	Date Services	Provided:	Project A	mount: 1.2M
NA			to		
Vendor's role in F	Project:	me Vendor	Bubconsultant/Sub	contractor	renders and pulses
Would you use th			No If No, I	please specify in Additiona	al Comments (below).

Description of services provided by Vendor:

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables			XXX	E
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover			XX	
3.	Timeliness of: a. Project b. Deliverables		Η	XX	B
4.	Project completed within budget			K.	
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			XXX	

Additional Comments: (provide on additional sheet if needed)

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Verified by: D. Registe

Division BC Aviation Dept. Date: 06/16/2020

Exhibit B

Broward County Board of County Commissioners		Page 42 81 61
	Vendor Reference Verification	n Form
Maintenance	and Title: ccess and Revenue Control Equipm	ent and
Reference for: Flash Parki	10	
Organization/Firm Name providir	ng4eference:	
SP Plus		
Contact Name: Jouquin Ro	Icos Title: Senior Manuer	Reference date: 4/21/2020
Contact Email:	seplus.com	Contact Phone: 305-297-2573
Name of Referenced Project: P	of Miami Terminal A	
Contract No.	Date Services Provided:	Project Amount: #600,000
NA	10/2018 to Present	
Vendor's role in Project:	e Vendor Subconsultant/Subcontra	ctor
Would you use this vendor again?	Vies No If No, please	specify in Additional Comments (below).
Description of services provide	d by Vendor:	

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables				
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover			TT .	
3.	Timeliness of: a. Project b. Deliverables			F	
4.	Project completed within budget				
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			2 2 2	

Additional Comments: (provide on additional sheet if needed)

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# Verified via: X\_EMAIL \_\_\_\_VERBAL Verified by: Dedrie Registe

Division: BC Aviation Date: 06/16/2020

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Vendor Reference Verification Form

Broward County Board of **County Commissioners** 

Broward County Solicitation No. and Title:

Solicitation PNC2119994R1 Parking Access and Control Equipment

Reference for: FlashParking, Inc.

Organization/Firm Name providing reference:

T	he City of L	as Vegas						
Con	tact Name:	Brandy Stanle	y Ti	leParking Ser	vices Mgr Ref	erence date:		
Con	tact Email:	bstanley@lasv	egasnevada.gov		Co	ntact Phone:	702-229-686	3
Nam	ne of Refere	enced Project:	Pavking K	cress a R	evenue C.	ontiol e	a upmen	t
Con	tract No.		Date Services I	Provided:		Project Am	iount:	
	80323		10/1/15	to 9/30/		1,7 m	illion	
Vend	or's role in	Project: XPrir	ne Vendor	Subconsultant/S	Subcontractor			
Would	d you use th	nis vendor agair	n? Xres	No If N	o, please speci	fy in Additional	Comments (	below).
Desc	ription of s	ervices provid	ed by Vendor:					
Ţ	intallati	on, Commis	sioning an	d ongoing	service for	5 parking	garage	systems
	ise rate yo renced Vei	ur experience v ndor:	with the	Needs Improvement	Satisfactory	Excellent	Not Applicable	
1.	Vendor's ( a. Res) b. Accu c. Deliv	uracy	e		X	XX		
2.	a. Staff	Organization: expertise essionalism over			X	$\times$		
3.	Timelines a. Proje b. Deliv	ect				XX		
4.	Project co	mpleted within t	oudget			$\times$	ates a la contra	
5.							XX	

Additional Comments: (provide on additional sheet if needed) \*ADDITIONAL REFERENCES AVAILABLE UPON REQUEST.

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Exhibit B Page 44 of 61



Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2117368P1 Parking Access Revenue Control System (PARCS) Replacement for Port Everglades

Refe	rence for:	HUB Parking			All and a second second	The Police		
Orga	nization/Fi	irm Name provid	ding reference:			- 1 ( - 2 <sup>2</sup> - 2 <sup>2</sup> - 2		
		Hunt Airport Pa						
Cont	act Name:	Hughie C. Ga	albreath Ti	tle: General Ma	anager Refe	rence date:	03/29/2019	
Cont	act Email:	Hughie.Galbrea	th@abm.com		Con	tact Phone: 4	04-382-1742	
Nam	e of Refere	enced Project:	Hartsfield-Jack	son Atlanta Inte	rnational Airp	ort - Internati	ional Terminal	E
Cont	ract No.		Date Services 05/01/2012	Provided: to		Project Am	nount:	
Vendo	or's role in	Project: Pri	me Vendor 🖌	Subconsultant/S	ubcontractor			
Would	d you use t	his vendor agai	n? Ves	No If No	, please specify	in Additional	Comments (be	low).
Desci	ription of	services provid	led by Vendor:					
HUB I which	Parking is recollects an	esponsible for pr d processing 11	oviding and supp percent of the pa	orting the revenue rking activity as w	control system ell as the reserv	for the Interna e parking oper	tional Terminal ation.	
	se rate yo renced Ve	ur experience ndor:	with the	Needs Improvement	Satisfactory	Excellent	Not Applicable	
1.	a. Res b. Acc		ce			$\mathbf{N}$		
2.	a. Staf b. Prof	Organization: f expertise ressionalism nover				$\mathbf{\mathbf{V}}$		
3.	Timelines a. Proj b. Deli					$\checkmark$		
4.	Project co	mpleted within	budget			$\checkmark$		
5.						$\mathbf{V}$		

Additional Comments: (provide on additional sheet if needed)

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BROWARD COUNTY Broward County Board of County Commissioners

## Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance

Reference for: HUB Parking Technology USA Inc. Organization/Firm Name providing reference: Capital Region Airport Commission Contact Name: Joe Alberti Reference date: Title: Landside Services 03/07/2020 Contact Email: jalberti@flyrichmond.com Contact Phone: 804-226-3088 Name of Referenced Project: Parking and Revenue Control System Replacement Contract No. Date Services Provided: Project Amount: 11/01/2017 to 03/01/2019 \$ 3,500,000.00 Vendor's role in Project: Prime Vendor Subconsultant/Subcontractor Would you use this vendor again? √ Yes If No, please specify in Additional Comments (below). No Description of services provided by Vendor:

Revenue control equipment, install new exit stations, cashier and POF stations, intergrate EMV, Ground Transportation replacement software, PARCS facility camera replacement.

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables		$\mathbf{V}$		
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover				
3.	Timeliness of: a. Project b. Deliverables		$\checkmark$		
4.	Project completed within budget				$\checkmark$
5 <mark>.</mark>	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			N N N	

Additional Comments: (provide on additional sheet if needed)

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Broward County Board of County Commissioners PNEXhibit4Ri Page 46 of 61



Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R1 Parking Access and Revenue Control System Equipment and Maintenance

Reference for: HUB Parking Technology USA Inc. Organization/Firm Name providing reference: Palm Beach County Airports Contact Name: Mike Simmons Title: Finance Director Reference date: 12/07/2020 Contact Email: msimmons@pbia.org Contact Phone: 561-471-7433 Name of Referenced Project: PARCS at PBI PPublic Parking Facilities Contract No. Date Services Provided: Project Amount: R-2008-0172 02/05/2008 01/23/2023 to \$ 3,777,000.00 Vendor's role in Project: Prime Vendor Subconsultant/Subcontractor Would you use this vendor again? No If No, please specify in Additional Comments (below). /Yes Description of services provided by Vendor: Installation of all revenue control equipment, including sunpass, in 2008--thereafter provide ongoing maintenance and upgrades-contract extended in 2018 expiring 2023. Needs Please rate your experience with the Satisfactory Excellent Not Improvement Applicable referenced Vendor: 1. Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables 2. Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover 3. Timeliness of: a. Project b. Deliverables 4. Project completed within budget 5. Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)

Additional Comments: (provide on additional sheet if needed)

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Vendor Reference Verification Form

Broward County Solicitation No. and Title:

## PCN2119994R1 PARCS

Reference for: LCN, INC DBA Consolidated Parking Equipment

Organization/Firm Name providing reference:

City of Miami Beach

Contact Name: Monica Beltran	Title: Asst. Parl	king Dires Reference date: 02/20/2020
Contact Email: Monicabeltran@mian	nibeachfl.gov	Contact Phone: 305-673-7000 ext 26863
Name of Referenced Project: PARC	CS City of Miami Beach	summer of Chineseer Project
Contract No. Date	e Services Provided:	Project Amount:
ITN 2014-170-SW 10/	01/2015 to 02/20	/2020 \$ 6,793,000.00
Vendor's role in Project: Prime Vendor's role in Project:	endor Subconsultant/	Subcontractor

Would you use this vendor again? √ Yes

If No, please specify in Additional Comments (below). No

## Description of services provided by Vendor:

Installation, maintenance, service

	ase rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables			$\checkmark$	
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover				
3.	Timeliness of: a. Project b. Deliverables				
4.	Project completed within budget				$\checkmark$
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)				$\triangleleft$

Additional Comments: (provide on additional sheet if needed)

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Division: BC Aviation Dept.Date: 06/16/2020

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**Vendor Reference Verification Form** 

Broward County Solicitation No. and Title:

Solicitation PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance

Reference for:	LCN, INC DBA Consolidated	Parking Equipme	nt		377 4 7 3 6 4
Organization/Fin	rm Name providing reference	e:	1999 - C.	1.4-6 LABOUNG VAD	of the second second
Miami Parking	a Authority				
Contact Name:	Alejandra Argudin	Title: COO	2 517	Reference date:	02/14/2020
Contact Email:	aargudin@miamiparking.com			Contact Phone: 3	05-373-6789 ext.249
Name of Refere	enced Project: SKIDATA P	ARCS Equipm	ient		100 yr 200 9 10 10
Contract No.	Date Servic	es Provided:		Project An	nount:
Various	05/01/201	5 to 02	2/14/2020	\$ 2,800,00	0.00
Vendor's role in I	Project: Vendor	Subconsulta	ant/Subcontrac	ctor	alles a an a states?
Would you use the	nis vendor again? Ves	No	If No, please	specify in Additiona	I Comments (below).

## Description of services provided by Vendor:

Installation, Service and Maintenance of SKIDATA PARCS Equipment and Software throughout all our facilities.

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables			$\checkmark$	
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover			$\overline{\checkmark}$	
3.	Timeliness of: a. Project b. Deliverables			$\checkmark$	
4.	Project completed within budget			$\checkmark$	
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			$\overline{\mathbf{A}}$	

Additional Comments: (provide on additional sheet if needed)

Con

isolidated Parking Equipment provides great service on a timely manner.	The installation of the new equipment was done seamlessly and with minor interruptions of the day-to-day business. They have a vast understanding of	
equipment and the software which has been invaluable to us.		

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sion: BC Aviation Dept. Date: 06/16/2020

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Vendor Reference Verification Form

Broward County Solicitation No. and Title:

Solicitation PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance

Reference for: LCN, INC. dba Consolidated Parking Equipment

Organization/Firm Name providing reference:

Miami-Dade County Information Technology Department

Contact Name:	Luis Ibarra		Title:	Network Manager	Reference date: 02/14/2020			
Contact Email:	luis.ibarra2@n	niamidade.gov			Contact Phone: 786-351-5163			
Name of Referenced Project: Parking Control Systems - Seaport Parking Upgrades / Service and Maint.								
Contract No.	the local star	Date Service	s Prov	ided:	Project Amount:			
FB-01111		05/03/2019	t	05/02/2021	\$ 720,100.00			
Vendor's role in Project: 🖌 Prime Vendor Subconsultant/Subcontractor								
Would you use this vendor again? Ves No If No, please specify in Additional Comments (below).								

#### Description of services provided by Vendor:

Repairs and upgrades to existing PortMiami Parking System to include: Replacement of legacy software and hardware to fulfill and maintain a Payment Card Industry Data Security Standard compliant environment; installation, integration and implementation of new equipment in existing and future facilities, support and maintenance of the system as a whole through 2021.

Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
<ol> <li>Vendor's Quality of Service         <ol> <li>Responsive</li> <li>Accuracy</li> <li>Deliverables</li> </ol> </li> </ol>			$\leq$	
<ol> <li>Vendor's Organization:</li> <li>a. Staff expertise</li> <li>b. Professionalism</li> <li>c. Turnover</li> </ol>			$\overline{\triangleleft}$	
<ul><li>3. Timeliness of:</li><li>a. Project</li><li>b. Deliverables</li></ul>			$\checkmark$	
4. Project completed within budget			$\checkmark$	
<ul> <li>5. Cooperation with:</li> <li>a. Your Firm</li> <li>b. Subcontractor(s)/Subconsultant(s)</li> <li>c. Regulatory Agency(ies)</li> </ul>				

Additional Comments: (provide on additional sheet if needed)

In addition to current contact FB-01111, Consolidated Parking Equipment (CPE) was selected under a separate construction project to design, install and implement a Parking Access and Revenue Control System for a new build garage on PortMiami, CPE has shown; their willingness to assist us in achieving our goals, high level knowledge and expertise, and exemplary response to our services calls and emergencies. I would gladly recommend their services.

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Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R Parking Access and Revenue Control Equipment and Maintenance for FLL

Reference for:	Scheidt & Bach	imann USA, Inc				
Organization/Fi	rm Name provi	iding reference:			130	
Reef Parking						
Contact Name:	Todd Dengl	Titl	e: R	egional Director	Reference date:	03/01/2020
Contact Email:	Todd.Dengl@F	Reefparking.com			Contact Phone:	3015631703
Name of Refere	enced Project:	Reef Parking 4 (	Garag	ge PARCS (forme	erly IMPark)	
Contract No.	Self Press Contraction	Date Services P	rovide	ed:	Project A	mount:
(4) PARCS M	id-Atlantic	04/16/2018	to	05/16/2018	\$ 761,255	5.81
Vendor's role in	Project: Pr	ime Vendor	ubco	nsultant/Subcontra	ctor	
Nould you use t	his vendor aga	in? Yes	No	lf No, please	specify in Additiona	al Comments (below).

## Description of services provided by Vendor:

PARCS Hardware/Software, Installation & Configuration - 4 Garage PARC installs

Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
<ol> <li>Vendor's Quality of Service         <ol> <li>Responsive</li> <li>Accuracy</li> <li>Deliverables</li> </ol> </li> </ol>			XXX	
<ol> <li>Vendor's Organization:         <ul> <li>a. Staff expertise</li> <li>b. Professionalism</li> <li>c. Turnover</li> </ul> </li> </ol>			XXX	
<ul> <li>3. Timeliness of:</li> <li>a. Project</li> <li>b. Deliverables</li> </ul>			XX	
4. Project completed within budget			$\mathbf{X}$	
<ul> <li>5. Cooperation with:</li> <li>a. Your Firm</li> <li>b. Subcontractor(s)/Subconsultant(s)</li> <li>c. Regulatory Agency(ies)</li> </ul>				

Additional Comments: (provide on additional sheet if needed)

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Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R Parking Access and Revenue Control Equipment and Maintenance for FLL

Reference for: Scheidt & Bachmann USA, Inc

Organization/Firm Name providing reference:

SPPLUS / City of Harrisburg, PA

Contact Name: Nancy Keim	Title: Senior Manager	Reference date: 03/01/2020
Contact Email: NKeim@spplus.com	n	Contact Phone: 717-234-2274
Name of Referenced Project: Ma	nufacture, Install parking equipment	for access and revenue control
Contract No. D	ate Services Provided:	Project Amount:
C	7/28/2014 <b>to</b> 03/18/2015	\$ 1,372,554.00
Vendor's role in Project: X Prime	Vendor Subconsultant/Subcontrac	ctor

Would you use this vendor again? Xes

No If No, please specify in Ad

If No, please specify in Additional Comments (below).

#### Description of services provided by Vendor:

Manufactured and installed parking equipment in 10 location to include monthly and transient parking for a total of 6,384 parking spaces

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables			X X X	
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover			$\mathbf{\mathbf{V}}$	
3.	Timeliness of: a. Project b. Deliverables			$\checkmark$	
4.	Project completed within budget			$\checkmark$	
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)			$\mathbf{k}$	

Additional Comments: (provide on additional sheet if needed)

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Verified via: X EMAIL VERBAL Verified by: D. Registe

Division: BC Aviation Dept. Date: 06/16/2020

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Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R Parking Access and Revenue Control Equipment and Maintenance for FLL

	Mall, Simon P				Reference date: 03/01/2020
Contact Name.	Loy Bennett	-11	le: F	Parking Director	Reference date: 03/01/2020
Contact Email:	Lbennett@deni	isonparking.com			Contact Phone: 914-683-8564
Name of Refer	enced Project:	The Westchest	er		
Contract No.		Date Services	Provid	ded:	Project Amount:
Westchester		06/01/2018	to	06/01/2019	\$ 1,500,000.00

#### Description of services provided by Vendor:

Installation of replacement PARCS system for our mixed use Mall facility. Includes 17 POF machines, 8 entries, 10 exits, valet, nested area including security camera system, license plate recognition, validation system and user payment App.

	se rate your experience with the renced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
1.	Vendor's Quality of Service a. Responsive b. Accuracy c. Deliverables				
2.	Vendor's Organization: a. Staff expertise b. Professionalism c. Turnover				
3.	Timeliness of: a. Project b. Deliverables				
4.	Project completed within budget				
5.	Cooperation with: a. Your Firm b. Subcontractor(s)/Subconsultant(s) c. Regulatory Agency(ies)				

Additional Comments: (provide on additional sheet if needed)

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Verified via: X E	MAIL VERBAL	Verified by:D. Registe	Division: BC Aviation Dept.
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sion: BC Aviation Dept. Date: 06/16/2020

All information provided to Broward County is subject to verification. Vendor acknowledges that inaccurate, untruthful, or incorrect statements made in support of this response may be used by the County as a basis for rejection, rescission of the award, or termination of the contract and may also serve as the basis for debarment of Vendor pursuant to Section 21.119 of the Broward County Broward County Broward County as a basis for debarment of Vendor pursuant to Section 21.119 of the Broward County Broward Broward County Broward Broward County Broward Browar

Broward County Board of County Commissioners PNExhibitaBa Page 53 of 61



## **Vendor Reference Verification Form**

Broward County Solicitation No. and Title:

RFP No. PNC2119994R1Parking Access and Revenue Control Equipment and Maintenance

Reference for: TIBA Parking Systems	a contraction of the			Maria - San Athenia - C
Organization/Firm Name providing reference:			1. N. 10 (M.).	
Caesar's Entertainment / Ace Parking				
Contact Name: Rich Lindman T	itle: Director of	Audit Refe	rence date:	02/14/2020
Contact Email: Rlindman@aceparking.com		Cor	tact Phone: (6	619) 247-5799
Name of Referenced Project: Caesar's Place	e Las Vegas		2.186-11	en la regeneration de la dest
Contract No. Date Services	Provided:		Project An	nount:
01/17/2017	to 06/01/	2017	\$ 9,400,00	0.00
Vendor's role in Project: 🖌 Prime Vendor	Subconsultant/S	ubcontractor		and the second states of
Would you use this vendor again?		o, please specif	y in Additional	Comments (below).
Description of services provided by Vendor:				
TIBA is proud to be the PARCS Vendor for Caesars Er Lanes, (30) Exit Lanes including License Plate Recogn				
Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
<ol> <li>Vendor's Quality of Service         <ol> <li>Responsive</li> <li>Accuracy</li> <li>Deliverables</li> </ol> </li> </ol>			N N N	
<ul> <li>2. Vendor's Organization:</li> <li>a. Staff expertise</li> <li>b. Professionalism</li> <li>c. Turnover</li> </ul>			N N	
<ul> <li>3. Timeliness of:</li> <li>a. Project</li> <li>b. Deliverables</li> </ul>			$\checkmark$	
4. Project completed within budget			$\checkmark$	i sul 🗖 n - Cons
<ul> <li>5. Cooperation with:</li> <li>a. Your Firm</li> <li>b. Subcontractor(s)/Subconsultant(s)</li> <li>c. Regulatory Agency(ies)</li> </ul>			$\Box$	
Additional Comments: (provide on additional sheet if needed)				

\*\*\*THIS SECTION FOR COUNTY USE ONLY\*\*\*

Verified via:	X EMAIL	VERBAL	Verified by: D. Registe	Division: BC Aviation Dept. Date:	06/16/2020
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Exhibit B Page 54 of 61



Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2117368P1 Parking Access Revenue Control System (PARCS) Replacement for Port Everglades

Reference for: TIBA Parking Systems - RFP No. PNC2119994R1

John Glenn In	ternational Airport			
Contact Name:	Marcus Elliott Ti	tle:	Manager, Parking	Reference date: 03/02/2020
Contact Email:	MElliott@ColumbusAirports.com			Contact Phone: 614-239-3082
Name of Refere	enced Project: John Glenn Inte	erna	tional Airport	
Contract No.	Date Services	Prov	vided:	Project Amount:
N/A	10/02/2017	t	to 12/28/2018	\$ 3,400,000.00

## Description of services provided by Vendor:

TIBA is proud to partner with CRAA for the Columbus Airport Project. This project consists of 60 Lanes including License Plate Recognition, Exit Cashiering, Pay in Lane and Pay on Foot. This is a current project that is close to completion.

Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
<ol> <li>Vendor's Quality of Service         <ol> <li>Responsive</li> <li>Accuracy</li> <li>Deliverables</li> </ol> </li> </ol>			$\overline{\mathbf{A}}$	
<ol> <li>Vendor's Organization:</li> <li>a. Staff expertise</li> <li>b. Professionalism</li> <li>c. Turnover</li> </ol>			$\checkmark$	
<ol> <li>Timeliness of:</li> <li>a. Project</li> <li>b. Deliverables</li> </ol>			$\checkmark$	
4. Project completed within budget			$\checkmark$	
<ol> <li>Cooperation with:</li> <li>a. Your Firm</li> <li>b. Subcontractor(s)/Subconsultant(s)</li> <li>c. Regulatory Agency(ies)</li> </ol>				

Additional Comments: (provide on additional sheet if needed)

\*\*\*THIS SECTION FOR COUNTY USE ONLY\*\*\*

Verified via: X EMAIL VERBAL Verified by: D. Registe

Division: BC Aviation Dept. Date: 06/16/2020

Exhibit B Page 55 of 61



Vendor Reference Verification Form

Broward County Solicitation No. and Title:

RFP No. PNC2119994R1 Parking Access and Revenue Control Equipment and Maintenance

Reference for: TIBA Parking Systems - RFP No. PNC2119994R1

Contact Name:	Patricia Porter	Title:	Facility Manager	Reference date: 02/14/2020
Contact Email:	pporter@spplus.com			Contact Phone: 502-380-8321
Name of Refere	enced Project: Louisville M	luhamm	nad Ali Internationa	I Airport
Contract No.	Date Servi	ces Prov	vided:	Project Amount:
	01/01/202	20	to 02/14/2020	\$ 1,200,000.00

## Description of services provided by Vendor:

TIBA Parking Access and Revenue Control System consisting of over 30 lanes including Exit Cashiers and unattended Pay-in-Lane Terminals. The project also includes Payment Express EMV and NFC, AVI, VoIP, and Voice Annunciators.

Please rate your experience with the referenced Vendor:	Needs Improvement	Satisfactory	Excellent	Not Applicable
<ol> <li>Vendor's Quality of Service         <ol> <li>Responsive</li> <li>Accuracy</li> <li>Deliverables</li> </ol> </li> </ol>			$\mathbf{\mathbf{k}}$	
<ol> <li>Vendor's Organization:         <ul> <li>a. Staff expertise</li> <li>b. Professionalism</li> <li>c. Turnover</li> </ul> </li> </ol>			$\mathbf{\mathbf{V}}$	
<ul><li>3. Timeliness of:</li><li>a. Project</li><li>b. Deliverables</li></ul>			$\checkmark$	
4. Project completed within budget			$\checkmark$	
<ul> <li>5. Cooperation with:</li> <li>a. Your Firm</li> <li>b. Subcontractor(s)/Subconsultant(s)</li> <li>c. Regulatory Agency(ies)</li> </ul>			$\mathbf{\mathbf{N}}$	

Additional Comments: (provide on additional sheet if needed)

\*\*\*THIS SECTION FOR COUNTY USE ONLY\*\*\*

Verified via: X \_\_\_\_EMAIL \_\_\_\_VERBAL Verified by: D. Registe D

Division: BC Aviation Dept. Date: 06/16/2020

Page 1 of 1 Exhibit B Page 56 of 61

BROWARD	Contracts Central Broward County Purchasing Division
<ul> <li>Contracts Central</li> <li>Administration <ul> <li>PO Admin</li> <li>Fixed/Open Contracts</li> <li>Work Auth</li> <li>Projects</li> <li>PURCHASING</li> <li>Procurement</li> <li>FileRoom DashBoard</li> <li>FileRoom Insert</li> <li>Debarment Dashboard</li> <li>Favorites</li> <li>Prime Vendor</li> <li>Sub Vendor</li> <li>Sub Vendor</li> <li>Purchase Order</li> <li>Evaluation</li> <li>Log Off</li> </ul></li></ul>	Prime Vendor Dashboard Enter Vendor Name (or a portion of) Then Click Search: - Wilcards Are Permitted (ie. wa*, *wa*,wa*inc) Designa Access Corporation Search Reset Finish No Vendors Found For Your Search. Try Again

Page 1 of 1 Exhibit B Page 57 of 61

<ul> <li>Contracts Central</li> <li>Administration</li> <li>▷ PO Admin</li> <li>▷ Fixed/Open Contracts</li> <li>▷ With Arth</li> </ul>	Prime Vendor Dashboard Enter Vendor Name (or a portion of) Then Click Search: -
<ul> <li>Work Auth</li> <li>Projects</li> </ul>	Wilcards Are Permitted (ie. wa*, *wa*,wa*inc)
<ul> <li>▼PURCHASING</li> <li>▶ Procurement</li> <li>▶ FileRoom DashBoard</li> <li>▶ FileRoom Insert</li> <li>▶ Debarment Dashboard</li> <li>▼ Favorites</li> <li>▶ Prime Vendor</li> <li>▶ Sub Vendor</li> <li>▶ Sub Vendor</li> <li>▶ Purchase Order</li> <li>▶ Evaluation</li> <li>▶ Log Off</li> </ul>	FlashParking, Inc Search Reset Finish No Vendors Found For Your Search. Try Again

to Thursday

Page 1 of 1 Exhibit B Page 58 of 61

Contracts Central										
Administration	Prime Vendor Das	hboard - HUB P	ARKING T	TECHNOI	LOGY	USA II	NC			
<ul> <li>PO Admin</li> <li>Fixed/Open Contracts</li> <li>Work Auth</li> <li>Projects</li> </ul>		Finish								
<ul> <li>✓ PURCHASING</li> <li>▷ Procurement</li> <li>▷ FileRoom DashBoard</li> <li>▷ FileRoom Insert</li> <li>▷ Debarment Dashboard</li> <li>✓ Favorites</li> </ul>	Proj/Contract/Agreement/WA Legend: Proj Nbr: = Project Number FC Nbr: = Fixed Contract Number OE Nbr: = Open End Contract Number WA Nbr: = Work Authorization Number <u>Export To Excel</u> Final/Complete/Renewal Vendor Performance Evaluations - Past 5 Years									
<ul> <li>Prime Vendor</li> <li>Sub Vendor</li> </ul>	Proj/Contract/Agreement/WA	Using Div	Evaluation Type	Locked Dt	Future	Score				
<ul> <li>Purchase Order</li> <li>Evaluation</li> <li>Log Off</li> </ul>	OE Nbr: BLD2117008A1	FACILITIES MANAGEMENT	Term Service Evaluation 07/01/2018 - 06/30/2019	5/31/2019	YES	<u>3.93</u>	<u>View</u>	<u>Docs</u> (0)		

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Contracts Central									
▼Administration	Prime Vendor Dashboard - CONSOLIDATED PARKING EQUIPMENT								
▶ PO Admin									
<ul> <li>Fixed/Open Contracts</li> <li>Work Auth</li> </ul>		ſ	Finish						
Projects		l	THIST						
<ul> <li>▼PURCHASING</li> <li>▶ Procurement</li> <li>▶ FileRoom DashBoard</li> <li>▶ FileRoom Insert</li> </ul>	Proj/Contract/Agreement/WA Legend: Proj Nbr: = Project Number FC Nbr: = Fixed Contract Number OE Nbr: = Open End Contract Number WA Nbr: = Work Authorization Number Export To Excel								
Debarment Dashboard	Final/Complete/Renewal Vendor Performance Evaluations - Past 5 Years								
<ul> <li>▼Favorites</li> <li>▶ Prime Vendor</li> </ul>	Proj/Contract/Agreement/WA	Using Div	Evaluation Type	Locked Dt	Future	Score			
<ul> <li>Prime Vendor</li> <li>Sub Vendor</li> </ul>	***************************************		Term Commodity						

Page 1 of 1 Exhibit B Page 60 of 61

BROWARD	Contracts Central Broward County Purchasing Division
<ul> <li>✓ Contracts Central</li> <li>✓ Administration</li> <li>▷ PO Admin</li> <li>▷ Fixed/Open Contracts</li> <li>▷ Work Auth</li> <li>▷ Projects</li> <li>✓ PURCHASING</li> <li>▷ Procurement</li> <li>▷ FileRoom DashBoard</li> <li>▷ FileRoom Insert</li> <li>▷ Debarment Dashboard</li> <li>✓ Favorites</li> <li>▷ Prime Vendor</li> <li>▷ Sub Vendor</li> <li>▷ Purchase Order</li> <li>▷ Evaluation</li> <li>▷ Log Off</li> </ul>	Prime Vendor Dashboard Enter Vendor Name (or a portion of) Then Click Search: - Wilcards Are Permitted (ie. wa*, *wa*,wa*inc) Scheidt and Bachmann USA, Inc Search Reset Finish No Vendors Found For Your Search. Try Again

Page 1 of 1 Exhibit B Page 61 of 61

BRICHARD	Contracts Central Broward County Purchasing Division
<ul> <li>✓ Contracts Central</li> <li>✓ Administration</li> <li>▷ PO Admin</li> <li>▷ Fixed/Open Contracts</li> <li>▷ Work Auth</li> <li>▷ Projects</li> <li>✓ PURCHASING</li> <li>▷ Procurement</li> <li>▷ FileRoom DashBoard</li> <li>▷ FileRoom Insert</li> <li>▷ Debarment Dashboard</li> <li>✓ Favorites</li> <li>▷ Prime Vendor</li> <li>▷ Sub Vendor</li> <li>▷ Purchase Order</li> <li>▷ Evaluation</li> <li>▷ Log Off</li> </ul>	Prime Vendor Dashboard - TIBA PARKING SYSTEMS, LLC         NEW PS / 0000006726 - TIBA PARKING SYSTEMS, LLC Prime Vendor Summary         No Wendor Summary         No Open End Contracts         No Fixed Contracts         No Fixed Contracts         No Final/Completed/Renewal Performance Evaluations Over Past 5 Years         From Begining Of Advantage: First PO Issued Date: 03/03/2020         Purchase Orders: 1 POs With A Total Amt Of: \$1,836,120.00 Paid To Dt: (\$800,000.00) Balance: \$1,036,120.00         Purchase Orders       Documents         Finish         No Vendor Permormance Evaluations



August 21 2020

Brenda J. Billingsley Director of Purchasing Broward County 115 S. Andrews Avenue, Room 212 Fort Lauderdale, FL 33301

Solicitation No. PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance

Dear Ms. Billingsley:

This letter serves as our formal protest of the decision made by the Evaluation Committee during the meeting that took place at a hearing on Thursday, August 13, 2020 (the "Hearing"). HUB Parking Technology USA Inc. ("HUB") was deemed non-responsible and removed from consideration from the short-listing process. The reason stated during the discussion by the Selection Committee was that HUB had not provided proper evidence of licensing as required by Solicitation PNC2119994R1 (the "Solicitation"). Further comment was made that vendors would have to have had this license in place as of the time of bid submittal.

As HUB noted in its bid submittal of March 16, 2020 (the "Bid"), in the section dealing with Good Faith Efforts under the Business Opportunity Act, HUB will be utilizing the services or Dato Electric (note: due to a typo in the Bid, the name was spelled "Data Electric"), a CBE-qualified and licensed contractor already operating in Broward County. HUB has used Dato Electric as a subcontractor. Dato Electric Is certified as an electrical contractor by the State of Florida Electrical Contractors Licensing Board (License No. EC0002134, attached). As the incumbent PARCS system provider, HUB has contracted with Dato Electric for over 15 years for providing PARCS services to Fort Lauderdale Airport. Dato Electric's license is current and on file with Broward County.

The Solicitation provides, per the March 13, 2020 addendum, in the relevant part, that the "[...]Vendor shall be required to *possess one of the licenses* provided below (including any specified State registration, if applicable) *at the time of submittal*. Any certificate of competency that meets or exceeds the licensing requirements specified herein, as determined in the sole and absolute discretion of the County, will be considered responsible and responsive to the licensing requirements of this solicitation State: Certified Electrical Contractor[...](emphasis added)."

The Solicitation also provides that "Vendors should submit satisfactory proof of licensing with its submittal. If not provided with submittal, Vendor must submit such proof within three business days of County's written request. Vendor may be deemed non-responsive for failure to fully comply within stated timeframes."

In sum, the Solicitation requires that HUB *shall* possess the license at the time of submittal and HUB complied with that requirement. While the Solicitation also provides that HUB *should* submit proof of licensing with its submittal, the Selection Committee has discretion whether or not to deem HUB non-responsive for non-compliance. HUB's subcontractor, Dato Electric had a valid electrical contractor's license on file at the time of submittal.

In contrast, five of the six submitters of bids, including HUB, were deemed non-responsive with respect to insurance coverage. This varies from the license requirement in that while the license had to be in place at the time of bid submittal, bidders only needed to provide evidence that they could obtain the required coverage in the future, at the time of award. Unlike its decision with respect to the licensing matter and HUB, the Selection Committee used its discretion here to provide the non-responsive bidders with additional time to obtain the necessary evidence.

HUB Parking Technology - a Business Unit of the FAAC Group

HUB Parking Technology USA Inc. - 761 Commonwealth Dr. Ste 204 - Warrendale, PA 15086 | U.S.A Tel. +1 844 482 7275 - Fax +1 724 772 3750 www.hubparking.us



In other words, while HUB was removed from contention despite having the underlying license in place, other bidders were given the opportunity to obtain documentation they did not even have at the time of the hearing. From HUB's perspective, at worst this is a distinction without a difference. However, it is our position that the Committee should have used its discretion with regards to the license requirement, which had already been met in spirit.

The Solicitation states that "the County reserves the right to waive minor technicalities or irregularities *as is in the best interest of the County* in accordance with Section 21.30.f.1(c) of the Broward County Procurement Code. (emphasis added)." The Code, in the aforementioned section, goes on to define a minor technicality or irregularity as "a variation from the bid or proposal which does not affect the price of the bid or give the bidder an advantage or benefit not enjoyed by others, or does not adversely affect the interests of the County." The omission of the copy of a license which was in place when required, and which was already on file with Broward County in the department that soliciting the Bid, is a clear case of minor technicality. The Selection Committee had the discretion to allow additional time to cure as it did for the insurance. The documentation included with this letter shows that HUB has materially met the requirements and should be allowed to continue in the process. In addition, as the information that follows will surely show, it in definitely in the best interest of Broward County to allow HUB to continue in this process.

- HUB is the incumbent provider of PARCS and has served the Fort Lauderdale Airport since 2005.
- HUB's PARCS system is also being utilized at 32 other major FAA Hub airports.
- HUB has been installing PARCS systems at major airports since 1992.
- HUB's incumbency allows Broward County to leverage its existing investment in equipment. HUB
  provides a solution with technology that equal to or better than the other bidders at approximately
  1/5<sup>th</sup> the cost to the taxpayers of Broward County.

Finally, HUB highly values its relationship with Broward County, and his been demonstrating this on an ongoing basis. Although it was not discussed at the Hearing, in 2017 a class action suit was filed against Broward County under the federal FACTA law, which provides a civil cause of action for minor deviations from the requirements for printing credit card receipts. While this was not ideal, the issue is a common one that is currently being faced by as number of parking providers around the country. It is HUB's response to the situation that is important to note here.

First, HUB conducted a company-wide audit of all of its equipment installations, and has installed an internal firewall in its code that ensures that this situation will never occur again. HUB also has taken the lead in responding to the suit and confirming full protection and indemnification of Broward County, to date having engaged five separate law firms to handle different aspects of the case, including Broward County's direct defense. It has already committed \$150,000 in escrow funds for Broward County's use on this matter. HUB stands by its clients and remains committed to them long after the equipment is installed.

For the reasons stated above, we ask that you use your discretion and allow HUB to continue to the presentation and ranking stage of this process, as is consistent with the Code and in the best interests of the taxpayers of Broward County.

Thank you for your consideration in this matter. If you have any questions please don't hesitate to contact Roger Slayton, Director of Business Development, at 412-303-5130.

Warmest Regards Luca Bovalino

GEO HUB Parking Technology USA, Inc.



800.657.0243 | BEECHERCARLSON.COM

August 18, 2020

Summer Magness Risk and Compliance Officer HUB Parking Technology USA Inc. 761 Commonwealth Dr. Ste. 204 Warrendale, PA 15086

Dear Summer,

Please be advised that additional limit at least up to \$5M is available for claims made coverage for Hub's Technology Errors & Omissions Liability. Pricing for additional limits is subject to underwriting and full market support.

Kind Regards,

Sarah Griffith Senior Vice President Executive Liability Practice

> BEECHER CARLSON INSURANCE SERVICES, LLC 6 CONCOURSE PKWAY, SUITE 2300 ATLANTA, GA 30328

	Ron DeSantis, Governor Halsey Beshears, Secretary
	DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
	ELECTRICAL CONTRACTORS LICENSING BOARD
4	THE ELECTRICAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 489, FLORIDA STATUTES
	BRAND, DAVID L
	DATO ELECTRIC, INC. 901 SW 27 AVENUE FT. LAUDERDALE FL 33312
	· · · ·
*	EXPIRATION DATE: AUGUST 31, 2022
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ACORD <sup>®</sup> CI	ERTI	FICATE OF LIA	BILITY INS	URANC	E		(MM/DD/YYYY) /21/2020	
THIS CERTIFICATE IS ISSUED AS A CERTIFICATE DOES NOT AFFIRMAT BELOW. THIS CERTIFICATE OF INS REPRESENTATIVE OR PRODUCER, AI IMPORTANT: If the certificate holder If SUBROGATION IS WAIVED, subject	IVELY O SURANCE ND THE O Is an AD t to the to	R NEGATIVELY AMEND, DOES NOT CONSTITU CERTIFICATE HOLDER. DITIONAL INSURED, the erms and conditions of the	EXTEND OR ALT TE A CONTRACT policy(les) must have policy, certain p	ER THE CO BETWEEN 1 ve ADDITIOI olicies may	VERAGE AFFORDED E THE ISSUING INSURER	TE HOL BY THE (S), AU	DER. THIS POLICIES ITHORIZED	
this certificate does not confer rights to PRODUCER Beecher Carlson Insurance			CONTACT		son Insurance Services			
Beecher Canson insurance Services     Real Providence Services       6 Concourse Parkway, Suite 2300     PHONE       Atlanta, GA 30328     PHONE       EMAIL     EAC, No. Extl:       678-539-4800     FAX       Atlanta, GA 30328     FAX								
				BURER(S) AFFO	RDING COVERAGE		NAIC #	
www.beechercarison.com			INSURER A :					
INSURED INSURER B:								
761 Commonwealth Drive, Suite	204		INSURER C:	notican Insur			22667	
Warrendale PA 15086			INSURER E :		ance Company		22007	
			INSURER F :					
		E NUMBER: 57157484			<b>REVISION NUMBER:</b>			
THIS IS TO CERTIFY THAT THE POLICIES INDICATED. NOTWITHSTANDING ANY RE CERTIFICATE MAY BE ISSUED OR MAY EXCLUSIONS AND CONDITIONS OF SUCH	EQUIREME PERTAIN,	ENT, TERM OR CONDITION THE INSURANCE AFFORD	OF ANY CONTRACT ED BY THE POLICIE	OR OTHER I	DOCUMENT WITH RESPE	CT TO Y	MICH THIS	
LTR TYPE OF INSURANCE	NSD WV	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP	LIMI	15		
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					MED EXP (Any one person)	\$	!	
					PERSONAL & ADV INJURY	5		
GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE	5		
					PRODUCTS - COMP/OP AGG	\$ \$		
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		ļ				\$		
UMBRELLA LIAB OCCUR					EACH OCCURRENCE	5		
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AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE	N/A				E.L. EACH ACCIDENT	\$		
(Mandatory in NH)					E.L. DISEASE - EA EMPLOYEE	\$		
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Re: RFP No. PNC2119994R1, Project Manager John Hatzis. Broward County is included as Additional Insured as required by written contract with respect to operations performed by the insured for the following project.								
CERTIFICATE HOLDER		·····	CANCELLATION					
RE: Parking Broward County 2200 SW 45th, Suite 101 Fort Lauderdale FL 33301				I DATE THE	ESCRIBED POLICIES BE C. REOF, NOTICE WILL I Y PROVISIONS.			
			AUTHORIZED REPRESE	NTATIVE Bee	cher Carlson Insura	nce Ser	wices, LLC	
<u> </u>			Beecher Carlson In					
ACOBD 25 (2016/02)			© 19	88-2015 AC	ORD CORPORATION.	All righ	ts reserved.	

ACORD 25 (2016/03)

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57157484 | 2020-21 HUB Liab xs \$2M GL +\$2N E60/Cyber/Crime | Ginny McCarthy | 8/21/2020 2:49:27 FM (EDT) | Page 1 of 1

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## **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A M CERTIFICATE DOES NOT AFFIRMATIV BELOW. THIS CERTIFICATE OF INSU REPRESENTATIVE OR PRODUCER, AN	VELY O URANCE D THE C	R NEGATIVELY AMEND, E DOES NOT CONSTITU CERTIFICATE HOLDER.	EXTEND OR ALT	ER THE CO BETWEEN 1	VERAGE AFFORDED BY TH THE ISSUING INSURER(S), A	ie policies Nuthorized			
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).									
PRODUCER Beecher Carlson Insurance			CONTACT		son Insurance Services				
						FAX (AIC, No); 770-870-3031			
Atlanta, GA 30328			PHONE (A/C. No. Ext): E-MAIL ADDRESS;						
				SURER(S) AFFOI	RDING COVERAGE	NAIC #			
www.beechercarison.com			INSURER A: Zurich			16535			
HUB Parking Technology USA, Inc	•				asualty Co of America	25674			
761 Commonwealth Drive, Suite 204									
Warrendale PA 15086									
			INSURER E : INSURER F :						
COVERAGES CERT	FICAT	E NUMBER: 57157070			<b>REVISION NUMBER:</b>				
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					MED EXP (Any one person) \$ 10,	000			
						00,000			
GEN'L AGGREGATE LIMIT APPLIES PER:						00,000			
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	N/A					00,000			
(Mandatory in NH)					E.L. DISEASE - EA EMPLOYEE \$ 1.0				
A Excess General Liability		AUC 0144253 04	1/1/2020	1/1/2021	E.L. DISEASE - POLICY LIMIT \$ 1,0 \$2,000,000 Each Occurence/A				
						.99.09.00			
A Excess Liability		920B8392	1/1/2020	1/1/2021	Limit: 20,000,000 (EURO) Deductible: 1,000 (EURO)				
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLE	S (ACOR	0 101, Additional Remarks Schedul	e, may be attached if mor	e space is require	ad)				
RFP No. PNC2119994R1, Project Manager	John Ha	tzis.							
Broward County is included as Additional Ins	sured un	der General Liability as req	uired by written cont	ract with resp	ect to operations performed by	the			
insured for the following project:									
CERTIFICATE HOLDER			CANCELLATION						
RE: Parking			VANUELATION		,	J			
•					ESCRIBED POLICIES BE CANCE				
Broward County 2200 SW 45th St., Suite 101 Fort Lauderdale FL 33301			THE EXPIRATION ACCORDANCE W		REOF, NOTICE WILL BE D Y PROVISIONS.	ELIVERED IN			
Fort Lauderdale FL 33301									
			AUTHORIZED REPRESE	NTATIVE Bee	cher Carlson Insurance S	erwices, LLC			
			<b>B</b>	-	····				
1			Beecher Carlson II		rices, LLC ORD CORPORATION. All rig	the record			

#### ACORD 25 (2016/03)

#### The ACORD name and logo are registered marks of ACORD

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