



DATE: May 04, 2020

TO: Brenda J. Billingsley, Director, Purchasing Division

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

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

PROJECT TITLE: Sole Brand Procurement - Solarwinds Software and Support

REQUISITION NO. TBD

### SOLE SOURCE/SOLE BRAND REQUEST

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

This submission is to request the sole brand procurement for the repeating annual Solarwinds license subscription and software maintenance agreement. This agreement is in need of renewal through a competitive solicitation as a sole brand subscription, and support program for the County's Solarwinds license product(s). Continued use of a subscription and support program allows for extended life of purchased licenses with the ability to provide generational upgrades to meet technology changes. Solarwinds is the sole owner/creator of the support plan and offers this through reseller distribution including GSA schedules. This support subscription is the only known option available that applies to the currently installed licensed product(s). Solarwinds product monitors all Communication infrastructure points for various agencies (Aviation, ETS, WWS, Transit, ORCAT, and Traffic and Engineering) down to the port level (14,000 ports) where computers and phones are connected. This system, provides alerts when communication failures occur while providing analysis reporting to assist with troubleshooting performance or intermittent issues. During post recovery support for weather events, this product is mission essential to the status of our Communications infrastructure and the status of operational readiness for the County. The Solarwinds line of products is the only software we can utilize at this time without a major redesign of the supporting infrastructure and the additional expenditure of funds. By default, the existence of the current licensing assets owned by the County hereby requires the investment in support programs to maintain the value of the assets. In a competitive market, all products available today compete in the same price points and a quote from Solarwinds is a fair representation of estimated pricing. Broward County (Aviation, ETS, WWS, Transit, ORCAT, Traffic and Engineering) employ various modules of Solarwinds products for Help Desk tickets, Database and Communications monitoring, and tools for Active Directory maintenance and alerting. To purchase this as a new offering is estimated at \$420,000 to cover the agencies using this product. This figure is for license purchase and one year of support. This does not account for design, labor, training, and all other investment factors to consider when changing product.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

#### Only Sole Source/ Uniqueness

- Proprietary Item - this vendor/source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."

- Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.
- Other/or Additional information - the County requires this sole source, sole brand purchase for the following reasons:

Solarwinds product monitors all communication infrastructure points in the County down to the port level (14,000 ports). This system, provides alerts when communication failures occur while providing analysis reporting to assist with troubleshooting performance or intermittent issues. During post recovery support for weather events, this product is mission essential to the status of our communications infrastructure and the status of operational readiness for the County. Additional software applications provide performance tuning and auditing capabilities. Aviation currently uses Solarwinds as their Help Desk software. The Solarwinds line of product is the only software can utilized at this time without a major redesign of the supporting infrastructure and the additional expenditure funds. In use since 2005, this product is an integral part of the County's infrastructure across multiple Agencies. Most importantly, is keeping support programs relevant to maintain the value of the assets. In a competitive market, all products available today compete under the same price points and a quote from Solarwinds is a fair representation of estimated pricing.

**Business Case (One/Most Reasonable Source or One/Most Reasonable Brand)**

- Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- Complies with existing community and safety standards, and/or laws, rules, and regulations.
- Exempted from the Procurement Code - per Section 21.18 of Broward County Administrative Code.
- Other/or additional information - using this sole source, sole brand purchase benefits the County for the following reasons:

The following agencies are using Solarwinds software products: Aviation, ETS, WWS, Transit, ORCAT and Traffic and Engineering. The Agreement is scaled to provide a procurement vehicle for Agency needs and capitalize on the larger volume purchase price points.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: 567,000

Contract length (if applicable): Three Years

Expenses to date: 511,182.85

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

If yes, when and by whom? DLT Solutions 02/14/2017

How was item/service procured? Reasonable source

What is the current contract (MA) or purchase order number? R2112431G1\_1

If this is a sole brand, is there an "authorized" dealers list?  Yes  No


Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source. Attach additional sheets if needed.

The estimated value of \$567,000 is to cover current Agency needs for support of existing product and additional software modules as requested. A competitive solicitation of resellers for this Sole branded product line is expected to bring discounting based on volume purchases. DLT Solution is the current under GSA GS-35F-267DA however, the reseller Agreement with Solarwinds is no longer valid and the contracted services are being terminated with DLT Solutions effective 05/31/2020. Solarwinds has stated Carahsoft and SHI are now the resellers who can fulfill order processing.

CERTIFICATION: I have thoroughly researched the sole source or sole brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole source contract for commodities or services."

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084"

KEITH A. WOLF		Digitally signed by KEITH WOLF Date: 2020.05.04 17:29:54 -04'00'	May 4, 2020
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Howell Herring	HOWELL HERRING	Digitally signed by HOWELL HERRING Date: 2020.05.05 09:37:03 -04'00'	5/5/2020
DEPT/DIV DIRECTOR OR DESIGNEE (PRINT)	DEPT/DIV DIRECTOR OR DESIGNEE (SIGN)		DATE

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.34 and 21.35. The Purchasing Agent recommends the following:

Sole Source   
  Sole Brand   
  Reasonable Source   
  RFI attached   
  Rejected  
 Request Authorization to Negotiate

Additional Information:

The Purchasing Agent concurs with the above using agency information and recommends sole brand designation for SolarWinds North America, Inc. DBA SolarWinds Worldwide, LLC (SolarWinds) for continued subscription support services any any additional new software licenses for SolarWinds analytic software tools. SolarWinds provides subscription support services and new software licenses through their authorized resellers.

The Purchasing Agent also recommends Standardization of the SolarWinds software tools due to the ongoing need from the current using agencies as well as other agencies that could participate in the future in using the software tools. Using agencies currently using the SolarWinds software tools are the Aviation Department, Port Everglades Department, Enterprise Technology Services Division, Water and Wastewater Services Division, Transit Division, Regional Emergency Services and Communication Department, and the Traffic Engineering Division.

History:

On February 14, 2017, the Purchasing Agent Senior approved an Award Memo for contract No. R2112431G1, SolarWinds Maintenance, with DLT Solutions, LLC for an initial amount of \$58,012 based upon GSA Contract No. GS-35F-267D. Any associated renewals were as according to the GSA Contract.

On June 22, 2017, the Assistant Director of Purchasing approved an Amendment to the Award Memo to Contract R2112431G1 revising the initial term threshold from \$58,012 to \$120,000, and the not-to-exceed amount from \$99,396 to \$187,000.

On August 10, 2017, the Director of Purchasing approved a Second Amendment to the Award Memo to Contract R2112431G1 revising the initial term from \$120,000 to \$200,000 and revising the not-to-exceed amount from \$187,000 to \$385,000. The increase was due to additional using agencies participating in the contract.

On May 22, 2018, Agenda Item No. 24, the Board approved a threshold increase to Contract No. R2112431G1, from \$385,000 to an estimated not-to-exceed amount of \$755,000 due to additional using agencies participating in the contract. (Attachment 1)

Current Information:

Procurement Contract R2112431G1\_1

Contract Begin Date: February 14, 2017

Contract current Expire Date: February 13, 2021 (SolarWinds has determined vendor, DLT Solutions, LLC with current contract GSA Contract No. GS-35F-267D, is no longer an authorized reseller as of 5/31/20).

Current Maximum Threshold Amount: \$755,000

Current Usage Amount as of 8/17/20: \$530,807

The Purchasing Agent recommends utilizing authorized resellers as according to GSA, State of Florida, or other types of government cooperative contracts.

Purchasing Agent Signature: **MICHAEL MULLEN**

Digitally signed by MICHAEL MULLEN  
Date: 2020.08.18 12:22:43 -04'00'

Date: August 18, 2020

Purchasing Manager Signature:

**DAVID CLEMENTE**

Digitally signed by DAVID CLEMENTE  
Date: 2020.08.19 10:34:39 -04'00'

**APPROVAL AUTHORITY**

**REASON/SUGGESTED ACTION (IF DISAPPROVED):**

[Empty box for Reason/Suggested Action]

Signature: **GLENN MARCOS**

Digitally signed by GLENN MARCOS  
DN: dc=cty, dc=broward, dc=bc, ou=Organization, ou=BCC, ou=PU, ou=Users, cn=GLENN MARCOS  
Date: 2020.08.19 18:34:34 -04'00'

Date: 8/19/20

on behalf of Brenda J. Billingsley

\*This will require Board Approval.



Broward County Commission Regular Meeting 24.

Meeting Date: 05/22/2018

Director's Name: George Tablack

Department: Finance & Administrative Services Division: Enterprise Technology Services

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#### Information

##### Requested Action

**MOTION TO APPROVE** threshold increase for the Agreement between Broward County and DLT Solutions LLC, for SolarWinds Licensing and Maintenance Master Agreement No. R2112431G1, in the estimated amount of \$755,000, for Enterprise Technology Services Division and various County agencies.

**ACTION: (T-10:43 AM) Approved.**

**VOTE: 8-0. Commissioner Sharief was not present.**

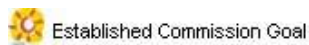
##### Why Action is Necessary

In accordance with Broward County Procurement Code, Section 21.36, the Director of Purchasing may purchase directly, without bids or quotations, from a General Services Administration (GSA) contract from federal, state or local contracts if the awarding jurisdiction and/or the vendor agree to allow the County to purchase therefrom. Additionally, in accordance with the Broward County Procurement Code, Section 21.31.a.4, the Board is required to approve all awards exceeding \$250,000 per annum or \$400,000 in a multi-year period.

##### What Action Accomplishes

Approves the increase of the total not-to-exceed threshold from \$385,000 to \$755,000 for the remaining three years of the current contract terms and conditions to provide Solarwinds product, licensing, and support plans.

##### Is this Action Goal Related



##### Previous Action Taken

None.

##### Summary Explanation/Background

THE FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, THE ENTERPRISE TECHNOLOGY SERVICES DIVISION, AND THE PURCHASING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board's Value of "Consistently delivering responsive, efficient, quality services to the public and internal customers"; its Goal is to build into every process and service effective checks and balances that do not cause inefficiency, but rather ensure consistency, continuity, and quality.

On February 14, 2017, Enterprise Technology Services Division (ETS), in conjunction with the Purchasing Division, awarded a Sole Brand contract utilizing GSA Contract GS-35F-267DA with DLT Solutions, LLC for the purchase of Solarwinds Software, Licensing and Support subscriptions. A Request for Quote indicated DLT Solutions was the only qualified vendor under GS-35F267DA to provide Solarwinds product. A market analysis was performed, and the findings indicated DLT Solutions as the lowest price vendor. The award for Quote No. R2112431G1 specified an estimated annual contract threshold of \$58,012 up to the expiration of April 10, 2021, a total potential four-year contract value of \$99,396. Solarwinds provides a variety of Helpdesk software, and systems monitoring tools for use within large, campus networks. As a County standard, Enterprise Technology Services sought input from various agencies on their needs related to the use of Solarwinds product, licensing, and support plans to consolidate multiple agency contracts into a single enterprise contract. In June 2017, the demand on this contract reached the initial annual threshold and requests continued to increase as multiple agencies standardized on the product line. An analysis of agency requests determined new product licensing drove a considerable amount of the expenditures. On June 22, 2017, the Purchasing Division increased the then-current threshold from \$58,012 to \$120,000 and the total not-to-exceed amount through April 2021 from \$99,396 to \$187,000.

On July 14, 2017, additional requests for Solarwinds products by agencies drove the need for Enterprise Technology Services to recommend a final annual increase of \$80,000 for the current contract term, bringing the current threshold from \$120,000 to \$200,000, and a total potential estimated contract value up to the not-to-exceed amount of \$385,000. The increase allowed agencies to purchase necessary software tools to automate many of the manual administrative functions of the systems specific to their agencies' functions. On August 10, 2017, the Purchasing Division retroactively increased the threshold from \$120,000 to \$200,000 and the total not-to-exceed through April 10, 2021 from \$187,000 to \$385,000.

The purpose of this action is to increase the total estimated contract value to \$755,000 up to the expiration date of April 11, 2021. Agencies with existing software will require the continuing renewal of support and maintenance plans. County agencies continue to expand on the Solarwinds product licensing and have expressed a need to implement new product. This request allows for an annual contract threshold of \$185,000 for the remaining three years of the GSA contract term. On May 1, 2018, the Purchasing Division recommended the approval of the increase of the not-to-exceed threshold through April 10, 2021, from \$385,000 to \$755,000.

Source of Additional Information

Print Agenda Item

John Bruno, Chief Information Officer, Enterprise Technology Services Division, (954) 357-8821

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#### Fiscal Impact

##### Fiscal Impact/Cost Summary:

The estimated amount for this project is \$755,000. Each requirement processed against this contract will be funded by the appropriate source at the time of release.

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#### Attachments

Exhibit 1 - Purchasing Agent Reports

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