



DATE: February 05, 2021

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Andrew G. Sebo, P.E., PTOE, Interim Director, Traffic Engineering Division

FROM: Alexander Vickers, Traffic OPS Superintendent, Traffic Engineering Division

PROJECT TITLE: FLIR ITS Thermal Vehicle and Bicycle Video Detection Equipment and Repairs

REQUISITION NO. TBD

### SOLE SOURCE/SOLE BRAND REQUEST

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

The Broward County Traffic Engineering Division (BCTED) is requesting Sole Source procurement for the Forward Looking Infrared Intelligent Transportation Solutions (FLIR ITS) thermal vehicle and bicycle video detection equipment purchase of certified replacement parts and components required for FLIR ITS thermal, and optical video detection systems already installed and in use throughout Broward County at signalized intersections as part of various roadway construction projects, newly constructed traffic signals and signal reconstructions, and private developer transportation projects authorized by Broward County, the Florida Department of Transportation (FDOT), and local municipalities. The FLIR ITS thermal and optical video detection system is one of several FDOT approved video image based vehicle detector systems used by Broward County engineers to detect traffic movements and synchronize traffic signals. The sole source requested is to include the FLIR ITS FC-Series thermal cameras, video detection processor boards, TrafiSense II cameras system & traffic cabinet interface unit, RDP C650 optical color video detection camera, trade-in allowance for damaged/destroyed thermal cameras and trade-in allowance for damaged/destroyed video detection processor boards. The sole source request relates to the proprietary thermal and optical image camera system and its proprietary replacement parts that are required to maintain and repair all aspect of the complete FLIR thermal and optical video detection system installed at Broward County maintained signalized intersections.

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:

Florida Statutes 316.0745, and other supporting regulations require that FDOT develop specifications for traffic control devices, including video detection cameras, before they can be used in the state. FDOT establishes the criteria for equipment testing and approval through their Approved Products List (APL)

program that ensures FDOT technical standards and specifications are met. Broward County, through an inter-agency joint participation agreement with FDOT, operates and maintains all FDOT traffic signals on the State Highway System, and therefore can only legally install FDOT APL approved vehicle and bicycle video detection systems. The FLIR FC-Series, Trafisense 2 Thermal and RDP Optical video detection equipment has been approved on the FDOT Approved Product Listing (APL Certification Numbers 660-015-023, 660-015-024 and 660-028-002). The equipment and repair parts to the FC-Series, Trafisense 2 Thermal and RDP Optical video detection systems on Broward County roadways are not interchangeable across the different manufacturer's systems. Each manufacturer has unique operating characteristics, hardware, and software which is typically customized, highly-proprietary and incompatible with other systems. The system manufacturers have designed, tested and certified their systems to function as a complete unified system, and the system's performance is not guaranteed when other non-approved or untested components are substituted into the system.

**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 safe and efficient operation of Broward County's traffic signal system relies heavily on the proper operation of the FLIR FC-Series, Trafisense 2 Thermal and RDP Optical video detection system as part of the intersection vehicle and bicycle video detection systems on Broward County roadways. These systems are critical to synchronizing traffic signals as well as ensuring that vehicles are detected at signalized intersections, enhancing motorist compliance and deterring red-light running. Therefore, they represent a life-safety feature as well as an efficiency feature to all transportation users. Broward County staff must have a surplus stock of the FLIR FC-Series, Trafisense 2 Thermal and RDP Optical video detection system equipment and replacement parts on hand at all times to make immediate repairs to the vehicle and bicycle video detection systems that fail due to malfunction, damage or impact, environmental conditions or end-of-life factors.

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: 5,948,550.00      Contract length (if applicable): 1 year with 2 optional 1-year renewals

Expenses to date: 2,420,330.00

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

If yes, when and by whom? August 2, 2018 by Control Technologies Inc.

How was item/service procured? Sole brand and sole source

What is the current contract (MA) or purchase order number? OPN2116443B1

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.

Control Technologies, Inc. has been designated as the sole approved distributor for the FLIR FC-Series, Trafisense 2 Thermal and RDP Optical video detection systems, through the manufacturer, FLIR Inc. There is currently no alternate vendor or source available as an authorized replacement for this vehicle and bicycle video detection system. As explained above, The FLIR FC-Series, Trafisense 2 Thermal and RDP Optical vehicle video detection systems have been approved on the FDOT Approved Product Listing as part of the Vehicle Detector systems (APL Certification Numbers 660-015-023, 660-015-024 and 660-028-002). To change from one manufacturer to another will necessitate the re-cabling of an entire intersection and the need to install different equipment racks inside the traffic signal cabinets to accommodate another manufacturer's vehicle and bicycle video detection system at an estimated cost of \$25,000.00 per intersection (or approximately \$25,000,000 for all intersections needed). This would represent an exorbitant, highly unnecessary expenditure of taxpayer funds.

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"

Alexander Vickers **ALEX VICKERS** Digitally signed by ALEX VICKERS Date: 2021.01.29 10:24:00 -05'00' January 29, 2021

REQUESTOR/EVALUATOR (PRINT) REQUESTOR/EVALUATOR (SIGN) DATE

DEPT/DIV DIRECTOR OR DESIGNEE (PRINT) **ANDREW SEBO** Digitally signed by ANDREW SEBO Date: 2021.02.08 17:59:43 -05'00' 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:

A Request for Information (RFI) was posted March 16, 2021 through March 23, 2021. A single response was received from Control Technologies, Inc. In a letter dated March 30, 2021, the manufacturer, FLIR Systems, Inc., verified that Control Technologies, Inc. is the exclusive supplier of FLIR thermal products for the entire State of Florida.  
Estimated annual value is \$1,982,850.

Purchasing Agent Signature: **JOHN TORRENGA** Digitally signed by JOHN TORRENGA Date: 2021.04.01 10:56:14 -04'00' Date:

*Danea Cohen-Ebanks* Digitally signed by REVIEWED BY PURCHASING MANAGER APPRENTICE Date: 2021.04.13 19:59:48 -04'00'

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

Signature: **GLENN MARCOS** Digitally signed by GLENN MARCOS Date: 2021.05.08 02:24:04 -04'00' Date: 5/7/21