



# Broward County

## Legislation Text

File #: 23-844, Version: 1

### **Broward County Commission Regular Meeting**

**Director's Name:** George Tablack

**Department:** Finance and Administrative Services    **Division:** Purchasing

### Information

#### Requested Action

A. MOTION TO APPROVE sole source designation for RapidSOS for location enhancing application and service that integrates directly with the County's Motorola Computer Aided Dispatch System for the E911 regional system.

***ACTION: (T-10:54 AM) Approved.***

***VOTE: 9-0.***

B. MOTION TO APPROVE Agreement between Broward County and RapidSOS, Inc., for RapidSOS Premium subscription and related implementation with the County's E911 Computer Aided Dispatch System, for a total five-year not-to-exceed amount of \$1,151,380; and authorize the Director of Purchasing to execute same.

***ACTION: (T-10:54 AM) Approved.***

***VOTE: 9-0.***

#### Why Action is Necessary

A. In accordance with Broward County Procurement Code Section 21.25, Sole Source Procurement, Board approval is required for awards exceeding the Director of Purchasing's authority.

B. In accordance with the Broward County Procurement Code Section 21.47(a), Award and Execution Authority, Board approval is required for contracts exceeding \$500,000 inclusive of the value of any renewals or extensions provided for in the contract.

#### What Action Accomplishes

Motions A and B: Provides for the procurement and implementation of the sole source RapidSOS real-time, geo-location enhancing application and software services with the County's Computer Aided Dispatch System for the regional E911 system.

#### Is this Action Goal Related

No

#### Previous Action Taken

None

**Summary Explanation/Background**

THE PURCHASING DIVISION AND THE OFFICE OF REGIONAL EMERGENCY SERVICES AND COMMUNICATIONS / COMMUNICATIONS AND TECHNOLOGY DIVISION RECOMMENDS APPROVAL OF THE ABOVE MOTIONS.

The purpose of this item is to provide sole source designation for the RapidSOS, which is a geo-location enhancing technology platform application and service subscription, securely integrating with the County's Computer Aided Dispatch System to link the regional E911 system and first responders.

On February 3, 2023, the Purchasing Division issued a Request for Information (RFI) to determine if there are any other entities to provide the requested services. There were no vendor responses contesting the Sole Source Notice.

Based on this information, the Director of Purchasing recommends approval of this sole source designation (Exhibit 1).

The proposed agreement provides for the procurement of the RapidSOS Premium subscription and associated implementation services for a five-year term commencing upon a date mutually agreed upon by the Parties, but not earlier than October 1, 2023 (Exhibit 2). The agreement is not the County standard agreement. Significant negotiations were held between the County and the vendor, with the vendor agreeing to modify several provisions to achieve more acceptable terms.

The County Attorney's Office has approved the RapidSOS Premium Subscription agreement as to form subject to the following nonstandard terms and conditions: (1) the agreement requires the County to indemnify RapidSOS for claims arising from the County's or its users' misuse of the system; and the indemnification obligations of each party are implicated by that party's gross negligence (rather than simple negligence); (2) the liability of each party is limited to the amounts paid by County in the prior six-month period, but that limitation excludes claims arising from breach of confidentiality obligations, fraud or criminal misconduct, intellectual property claims, payment obligations, or indemnification obligations; and (3) the agreement is governed by New York law, except as to public records and sovereign immunity for which Florida law governs.

**Source of Additional Information**

Robert E. Gleason, Director, Purchasing Division, (954) 357-6070

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Motion A. There is no fiscal impact for this action.

Motion B. The proposed agreement will be for a total potential five-year term with a not-to-exceed amount of \$1,151,380 utilizing Fund 10071-22605010-512730.