



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	22-231	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
				<b>In control:</b>	AVIATION DEPARTMENT
<b>On agenda:</b>	5/24/2022	<b>Final action:</b>	5/24/2022		
<b>Title:</b>	A. MOTION TO AWARD open-end contract to sole source vendor, Johnson Controls, Inc., for Building Automation Systems Services at FLL, Quotation No. BLD2123530Q1, for the Broward County Aviation Department Maintenance Division, in the initial five-year estimated amount of \$2,700,120, and authorize the Director of Purchasing to renew the contract for five one-year periods, for a total ten-year potential amount of \$5,400,240.  ACTION: (T-12:53 PM) Approved. (Refer to minutes for full discussion.)  VOTE: 9-0.  B. MOTION TO APPROVE sole source, sole brand standardization of Johnson Controls, Inc., for maintenance, repair and replacement of Johnson Controls, Inc. equipment and systems at Broward County Fort Lauderdale-Hollywood International Airport, for the Broward County Aviation Department Maintenance Division.  ACTION: (T-12:53 PM) Approved. (Refer to minutes for full discussion.)  VOTE: 9-0.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Exhibit 1 - Sole Source, Sole Brand Request dated August 20, 2021, 2. Exhibit 2 - User Concurrence Memorandum signed March 16, 2022, 3. Exhibit 3 - Price Analysis, 4. Exhibit 4 - Johnson Controls, Inc. Sole Source Letter dated January 12, 2022				

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** George Tablack

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

### Information

#### Requested Action

A. MOTION TO AWARD open-end contract to sole source vendor, Johnson Controls, Inc., for Building Automation Systems Services at FLL, Quotation No. BLD2123530Q1, for the Broward County Aviation Department Maintenance Division, in the initial five-year estimated amount of \$2,700,120, and authorize the Director of Purchasing to renew the contract for five one-year periods, for a total ten-year potential amount of \$5,400,240.

**ACTION: (T-12:53 PM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 9-0.**

B. MOTION TO APPROVE sole source, sole brand standardization of Johnson Controls, Inc., for maintenance, repair and replacement of Johnson Controls, Inc. equipment and systems at Broward County Fort Lauderdale-Hollywood International Airport, for the Broward County Aviation Department Maintenance Division.

**ACTION: (T-12:53 PM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 9-0.**

**Why Action is Necessary**

Motion A. In accordance with Broward County Procurement Code, Section 21.47(a), Award and Execution Authority, the Board shall make all awards, and authorize the execution of the associated contracts, with a value of more than \$500,000, inclusive of the value of any renewals or extensions provided for in the contract; and Section 21.53, Duration of Contracts, the Board is required to approve all contracts of more than five years.

In accordance with Section 332.0075(3)(b), Florida Statutes, a governing body must approve, award, or ratify all contracts executed by or on behalf of a commercial service airport in excess of the threshold amount provided in § 287.017 for CATEGORY FIVE [i.e., \$325,000] as a separate line item on the agenda and must provide a reasonable opportunity for public comment. Such contracts may not be approved, awarded, or ratified as part of a consent agenda.

Motion B. In accordance with the Broward County Procurement Code, Section 21.19(a), Standardization, the Board is required to approve all standardizations above the award authority of the Director of Purchasing.

**What Action Accomplishes**

Motion A. Provides for an open-end contract for building automation system maintenance and repair services for the Aviation Department Maintenance Division.

Motion B. Provides the standardization of Johnson Controls, Inc. automation equipment and systems at the Broward County Fort Lauderdale-Hollywood International Airport.

**Is this Action Goal Related**

No

**Previous Action Taken**

None.

**Summary Explanation/Background**

THE PURCHASING DIVISION AND THE AVIATION DEPARTMENT/MAINTENANCE DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

Motion A:

The purpose of this contract is to provide a full coverage building automation service contract including scheduled routine (preventive) maintenance, diagnostic, scheduled maintenance labor,

maintenance materials, repair materials, repair labor, updates and upgrades to maintain operation with the most recent operating control system for the Johnson Controls, Inc. manufactured Metasys Energy Management Control System, Metasys User Interface (MUI), NIE/NAE (Network Integration Engine/Network Automation Engine/Network Control Engine), ADX File Server and all related software, and Operator Workstations at the Fort Lauderdale-Hollywood International Airport (Airport).

This procurement is governed under Section 332.0075, Florida Statutes, for commercial service airports, which incorporates requirements in Sections 287.017 and 287.057, Florida Statutes. The procurement was estimated to exceed Section 287.017 CATEGORY THREE threshold of \$65,000 and CATEGORY FIVE threshold of \$325,000. Section 332.0075 requires competitive procurement when exceeding the aforementioned thresholds unless an exception applies pursuant to Section 287.057. The exception in Section 287.057(3)(c) applies to this project for single source procurement. In accordance with Section 332.0075(3)(b), as the procurement exceeds \$325,000, the Board must award the contract.

To satisfy the posting requirement of Section 287.057(3)(c), results were used from Request for Information (RFI) No. PNC2122436R1\_F3 that was solicited on June 10, 2021 through Periscope S2G for similar services for a Terminal 1 construction project, which tested the market for possible vendors that could provide the services. There were no responses received from the marketplace for the RFI.

On October 20, 2021, the Director of Purchasing approved a sole source, sole brand designation for Johnson Controls, Inc. (Exhibit 1). Based on the sole source, sole brand designation, a Request for Quotation, No. BLD2123530Q1, was issued to Johnson Controls, Inc. to obtain firm, fixed pricing for building automation systems services.

To reaffirm the results of the prior RFI and satisfy the requirements of the Broward County Procurement Code, Section 21.25(b), Request for Information (RFI) No. BLD2123530F1 was solicited on April 6, 2022 through Periscope S2G, which again tested the market for possible vendors that could provide the services. The RFI opened on April 12, 2022 with no responses received from the marketplace.

All prices, terms and conditions will remain fixed for the initial 12-month contract period. Upon completion of the initial 12-month contract period, the contractor may make a timely request for a price adjustment to the contract for each year thereafter prior to its anniversary date in accordance with the price escalation clause of the contract.

This contract includes covered services in accordance with Broward County Living Wage Ordinance, Section 26-101(k). Johnson Controls, Inc. has agreed to be bound to the contractual obligations.

The Aviation Department Maintenance Division has reviewed the quotation submitted by Johnson Controls, Inc. and concurs with the recommendation for award (Exhibit 2). Five performance evaluations were completed for Johnson Controls, Inc.; the firm has an overall rating of 3.97 out of a possible 5.0. Copies of the performance evaluations are available upon request.

The Purchasing Division has reviewed the prices submitted by Johnson Controls, Inc. and determined that the prices submitted are fair and reasonable based upon a comparison to the previous contract pricing (Exhibit 3).

The amount referenced in this agenda item is rounded to the nearest whole dollar. Vendor payments will be based on the actual total bid amount. The bid tabulation reflects the actual amount of the award.

Incumbent: Johnson Controls, Inc.; Contract Number and Title: BLD2117085B1, Building Automation Systems Services at FLL; Contract Term: January 8, 2019 through April 7, 2022; Expenditures to date: \$500,316.

The initial contract period shall begin on the date of award and will terminate five years from that date.

**Motion B:**

The purpose of this action is to continue the approval of Johnson Controls, Inc. and Johnson Controls, Inc. equipment and systems at the Airport as a sole source, sole brand standardization.

As the Airport continues to expand, the Johnson Controls, Inc. building automation systems are modified or expanded. Johnson Controls, Inc. is needed in order to maintain pre-existing programming and warranties. Other systems are not able to integrate with Johnson Controls, Inc. systems; therefore, should another vendor be used, the systems in all terminals, rental car center, and administrative buildings would need to be redesigned at an unnecessary and unjustifiable cost to Airport stakeholders.

Johnson Controls, Inc. is the sole and exclusive provider of materials, installation, engineering, and support services of the Broward County Aviation Department owned proprietary building automation system (Exhibit 4).

**Source of Additional Information**

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

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Each procurement processed against this open-end contract will be funded by the appropriate source at the time of release.