



DATE: 6/5/23

TO: Robert Gleason, Director of Purchasing

THRU: Tara Williams, Director, Human Services Department

FROM: Efrem Crenshaw, Director, Community Partnerships Division

PROJECT TITLE: Agreement with School Board of Broward County, Florida for Driver Safety & Education

REQUISITION NO.: CMP0001362

SOLE SOURCE/SOLE BRAND REQUEST

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

This agreement provides Funding Assistance for Driver Safety and Education for the enhancement, not replacement, of driver education programs in public and nonpublic schools using funds collected from traffic violations under the Dori Slosberg Driver Education Safety Act, Section 318.1215, Florida Statute ("Safety Act"). This agreement receives funds from the Driver Education Safety Trust Fund ("Trust Fund") to fund the driver education program in accordance with the Safety Act and Section 10-31, Broward County Code of Ordinances. Per the Safety Act, the funds must be used for direct educational expenses, not administration, and funded programs must ensure that students spend a minimum of 30 percent of training time behind the wheel.

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 – the County requires this sole source, sole brand purchase for the following reasons:

Broward County Public School is the most reasonable source to be the recipient of the Trust Fund as their infrastructure allows their Drivers' Education program to reach students of both public and non-public secondary schools across Broward County. Broward County Public School's Drivers' Education program includes both classroom and behind-the-wheel instruction, has a fleet of over 90 vehicles, and serves over 1,500 students annually.

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 21.5 of Broward County Administrative Code.
- ☒ Other/or additional information – using this sole source, sole brand purchase benefits the County for the following reasons:

The School Board of Broward County, Florida is the most reasonable source to be the recipient of the Trust Fund for the Driver Safety and Education program as their infrastructure allows their Drivers' Education program to reach students of both public and non-public secondary schools across Broward County. The purpose of this request is to execute an agreement with the School Board of Broward County, Florida to fund the Driver Safety and Education program through the Trust Fund in accordance with the Safety Act and Section 10-31, Broward County Code of Ordinances. Students enrolled in a public or nonpublic high school in Broward County are able to receive, through the Driver Safety and Education Program, enhanced instruction on traffic rules and how to safely operate a motor vehicle while driving. Successful completion of the Driver Safety and Education Program results in demonstrated improvement in knowledge and skills critical for safe driving in order to reduce accidents and traffic violations. The School Board of Broward County, Florida's Driver Safety and Education program has been in operation since 2003, and a change in provider would result in disruption of service which would adversely impact families and individuals.

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: Contract length (if applicable):

Expenses to date:

Has this commodity been previously provided to the County? ☒ Yes ☐ No

If yes, when and by whom?

How was item/service procured?

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

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.

N/A There is no fiscal impact to Broward County, Florida. The driver education program is funded in accordance with the Safety Act and Section 10-31, Broward County Code of Ordinances. Traffic violation fines in the amount of \$5 per violation are collected by the Broward County Clerk of Courts, who then forwards the funds to Broward County for deposit in the Trust Fund. The available balance in the Trust Fund is dependent upon the collection of fines for traffic violations.

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"

Efrem Crenshaw

REQUESTOR/EVALUATOR
(PRINT)

EFREM
CRENSHAW

Digitally signed by EFREM
CRENSHAW
Date: 2023.05.03 10:50:34 -04'00'

REQUESTOR/EVALUATOR (SIGN)

5/3/23

DATE

Tara Williams

DEPT./DIV. DIRECTOR OR
DESIGNEE (PRINT)

Tara Williams

Digitally signed by Tara Williams
Date: 2023.06.05 09:29:49
-04'00'

DEPT./DIV. DIRECTOR OR
DESIGNEE (SIGN)

6/5/23

DATE

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.25 and 21.26. The Purchasing Agent recommends the following:

☐ Sole Source ☐ Sole Brand ☒ Reasonable Source ☒ RFI attached ☐ Rejected

☒ Request Authorization to Negotiate

Additional Information:

See enclosed Additional Information: Purchasing Agent's Report.

Purchasing Agent Signature:

HAZEL
MATTHEW

Digitally signed by HAZEL
MATTHEW
Date: 2023.08.11 16:42:41 -04'00'

Date:

Purchasing Manager:

Danea Cohen-Ebanks

Digitally signed by DANEA COHEN-
EBANKS, PURCHASING
MANAGER
Date: 2023.08.11 17:18:07 -04'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature:

Constance Mangan, Asst.
Director, on behalf of

Digitally signed by Constance
Mangan, Asst. Director, on behalf of
Date: 2023.08.14 10:12:02 -04'00'

Date:

Additional Information: Purchasing Agent Report

The Community Partnerships Division (CPD) is seeking a most reasonable source designation to the School Board of Broward County, as the recipient of the Trust Fund to provide Driver's Education programs in public and nonpublic schools.

A Request for Information (RFI) No. GEN2126812F1 was posted from July 14, 2023, through July 21, 2023 (Exhibit 1); zero (0) responses were received (Exhibit 2).

Pursuant to Procurement Code, Section 21.25(a), the Purchasing Agent affirms that this request is the subject of an RFI, and the required due diligence has been completed. Therefore, it is recommended to proceed with the School Board of Broward County as a Reasonable Source designation to provide the Driver's Education services to reach student of both public and non-public secondary schools across Broward County.

In addition, pursuant to Chapter 23, Operational Policy, Human Services, Section 23.2.(d), this request is also to allow the Human Services Department to proceed with an Agenda Item requesting the Board to approve the most reasonable source designation for the School Board of Broward County and the resulting contract to provide the requested services.

Section 23.2 (d) "Single Source Determination is made by the Director or designee when the only known Organization and/or Professional Organization or the only reasonable Organization and /or Professional Organization is capable of providing a particular service or commodity to the County. All single source agreements require approval by the Director of the Purchasing Division and formal approval by the Board."

This approval will allow the CPD to proceed with negotiation of the Agreement and present it to the Board for approval in the five-year estimated amount of \$2,568,200.00.

Solicitation GEN2126812F1

Request For Information: Drivers' Education Program

Bid Designation: Public



Broward County Board of County Commissioners

Bid GEN2126812F1

Request For Information: Drivers' Education Program

Bid Number **GEN2126812F1**

Bid Title **Request For Information: Drivers' Education Program**

Bid Start Date **In Held**

Bid End Date **Jul 16, 2023 2:00:00 PM EDT**

Bid Contact **Hazel-Mae Matthew**
Purchasing Agent
hmatthew@broward.org

Contract Duration **Not Applicable**

Contract Renewal **Not Applicable**

Prices Good for **Not Applicable**

Bid Comments **NOTICE OF INTENT TO DESIGNATE SOLE SOURCE/ONE REASONABLE SOURCE/SOLE BRAND**

The Purchasing Division is publishing this notice pursuant to the Broward County Procurement Code section, 21.25, Sole Source/Only Reasonable Source, and 21.26, Sole Brand. The Purchasing Division intends to award a contract without competition if it is determined to be in the best interest of the County.

Commodity/Service Required:

Driver's Education Program to educate/reach students in both public and non-public secondary schools across Broward County. Broward County Public School's Drivers' Education program includes both classroom and behind-the-wheel instruction, has a fleet of over 90 vehicles, and serves over 1,500 students annually.

Electronic Response:

Vendors capable of meeting or exceeding the specified commodity (product or equal) or service should submit a response electronically through Periscope S2G. Vendors are required to provide a detailed explanation consisting of documentation (product literature and any supporting information) showing that there are other qualified sources for the identified Commodity/Service herein to assist in determining if the product or service is comparable.

Vendors will be considered only if they provide documentation demonstrating that they are capable of meeting or exceeding the specification requirements stated herein and provide information regarding their ability to supply the commodities or contractual services described or written explanation or other documentation contesting the proposed designation as a Sole Source/Sole Brand.

All Vendor responses will be evaluated by the Director of Purchasing who shall have sole authority in deciding what is comparable or establishing the approved equal status of the commodity or service offered by the vendor. The Director of Purchasing shall consider such submittals and notify all submitting vendors of the decision whether to designate as a Sole Source/Brand, which decision shall not be subject to objection, protest, or appeal.

Questions and Answers:

The County provides a specified time for Vendors to ask questions and seek clarification regarding the requirements of the solicitation. All questions or clarification inquiries must be submitted through Periscope S2G by the date and time referenced in the solicitation document (including any addenda). The County will respond to all questions via Periscope S2G.

Item Response Form

Item **GEN2126812F1-01-01 - Drivers' Education Program**

Quantity **1 each**

Unit Price _____

Delivery Location **Broward County Board of County
Commissioners**
 No Location Specified

Qty 1

Description

Price will not be considered in the review of the RFI responses.

This RFI is to ascertain whether a **Drivers' Education Program to educate/reach students in both public and non-public secondary schools across Broward County** is currently available.

Vendors should submit a response electronically through Periscope S2G and upload any supporting information to assist in determining if the product or services meets, exceeds or exceeds, or is comparable stated commodity/services.

Question and Answers for Bid #GEN2126812F1 - Request For Information: Drivers' Education Program

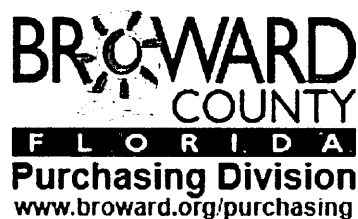
Overall Bid Questions

There are no questions associated with this bid.

**Bid Tabulation Packet
for
Solicitation GEN2126812F1**

Request For Information: Drivers' Education Program

Bid Designation: Public



Broward County Board of County Commissioners

Bid #GEN2126812F1 - Request For Information: Drivers' Education Program

Creation Date **Jun 16, 2023**

End Date **Jul 21, 2023 2:00:00 PM EDT**

Start Date **Jul 14, 2023 4:03:51 PM EDT**

Awarded Date **Not Yet Awarded**

GEN2126812F1-01-01 Drivers' Education Program					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code:		Supplier Notes:			
Agency Notes:					

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