



DATE:

TO: Robert Gleason, Director of Purchasing

THRU:

FROM:

PROJECT TITLE:

REQUISITION NO.:

## SOLE SOURCE/SOLE BRAND REQUEST

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

The Enterprise Technology Services (ETS) Division seeks to establish reaffirm Sole Brand concurrence for the line of Microsoft Surface products and Microsoft branded accessories. This line of product provides value as a mobility tool and remains widely in use by various agencies. ETS seeks to solicit a new three-year contract with (2) one-year renewals for agencies who have established business practices on the Microsoft Surface offerings and those seeking a true tablet device under the Windows Operating System.

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:

Approved as a Sole Brand on Agenda item #18, 04/12/2016, and reaffirmed on Agenda item #28, 03/20/2018. Agencies have built their business processes around the portability and features of the Microsoft Surface product. Functionality as a writing device, allows front line workers to incorporate data entry from the field in an efficient and effective manner.

- ☒ 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:

Microsoft Surface relies on the Microsoft Store for verified applications. These applications are written specifically for the Surface product and pass through rigorous testing before publication to the store. County Applications are written to take advantage of the E-Writing capabilities for quick data entry during field service operations. Agencies have standardized their work on the Microsoft Surface product line as a lightweight portable device fully certified for use with the Windows Operating System.

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: \$ 2,100,000.00

Contract length (if applicable): 3-Year w (2) one-year renewals

Expenses to date: \$1,738,141

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

If yes, when and by whom?

Microsoft Corp.

How was item/service procured? Only Reasonable Brand/Source

What is the current contract (MA) or purchase order number? A1335404A1\_1, A2113627G1\_1, A2113627G2\_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.

Comparison costs of the Microsoft Surface Laptop to Dell Marketing's "Latitude" Laptop remains fairly close. Dell Marketing does not offer a Tablet model for comparison. Other Tablets found in the marketplace include Apple and Android, not compatible with the wide variety of County software in use. Through Sole Brand designation, the County has received discounts of at least 10% from MSRP on Surface products. The variety of screen dimensions packaged into a thin and lightweight design provides for best use to the County employee workforce. The Microsoft Surface has proven to hold up better under extreme temperatures (inside parked County vehicles) where the Dell Latitude exhibited premature failure and are no longer recommended for vehicle mounted operations. The Dell Ruggedized unit is the only authorized Dell product for this type of application. The military specification of the rugged unit is 4X in size and weight as compared to the line of Microsoft Surface Products.


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

REQUESTOR/EVALUATOR  
(PRINT)



Digitally signed by KEITH WOLF  
Date: 2023.08.15 16:09:17 -04'00'

REQUESTOR/EVALUATOR (SIGN)

8/15/23

DATE

Althea M. Lewis

DEPT./DIV. DIRECTOR OR  
DESIGNEE (PRINT)

ALTHEA M. LEWIS

Digitally signed by ALTHEA M.  
LEWIS  
Date: 2023.08.16 09:45:20 -04'00'

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) 21.25 and 21.26. The Purchasing Agent recommends the following:

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

☐ Request Authorization to Negotiate

Additional Information:

Purchasing Agent recommends approval of a Sole Brand Designation for the procurement of Microsoft Surface products and accessories. This line of Microsoft Surface products provides value as a mobility tool and remains widely in use by various agencies in Broward County. Microsoft Surface relies on the Microsoft Store for verified applications, these applications are written specifically for the Surface product and pass through rigorous testing before publication to the store. County Applications are written to take advantage of the E-Writing capabilities for quick data entry during field service operations. Agencies have built their business processes around the portability and features of the Microsoft Surface product. Functionality as a writing device, allows front line workers to incorporate data entry from the field in an efficient and effective manner. A Request for information (RFI) No.TEC2127343F1 was issued on 09/22/2023 to determine if there were other products able to perform the requested services. The RFI closed on 09/29/2023 with 4 vendors responding to the RFI advising that they are authorized vendors for Microsoft Surface products and their desire to participate on the competitive solicitation that will be posted later. Purchasing agent reached out to all Vendors that responded to the RFI.

Purchasing Agent Signature:

Jose Solis

Digitally signed by Jose Solis  
Date: 2023.09.29 16:06:56  
-04'00'

Date:

LEAHANN  
LICATA

Digitally signed by  
LEAHANN LICATA  
Date: 2023.10.03  
11:12:19 -04'00'

**APPROVAL AUTHORITY**

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

PA /Purchasing Manager Recommendation: purchase only from authorized Microsoft Surface Resellers to insure products ordered are intended for Broward County and not gray market equipment.

Signature:

Constance Mangan, Asst.  
Director, on behalf of

Digitally signed by Constance  
Mangan, Asst. Director, on behalf  
of  
Date: 2023.10.03 15:02:58 -04'00'

Date: