



DATE: 6/23/22

TO: Robert Gleason, Director of Purchasing

THRU: Mary Moss, Purchasing Manager

FROM: Adriana Toro, P.E., Acting Director, Highway and Bridge Maintenance Division

PROJECT TITLE: Dibrom, Fyfanon, Metalarv, Vecto's and test products (Non Sheltered Market) Bid No. TBD

REQUISITION NO.: TBD

SOLE SOURCE/SOLE BRAND REQUEST

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

Furnish and deliver Mosquito Control Chemicals for the Broward County Highway and Bridge Maintenance Division- Mosquito Control Section, and various Broward County agencied that may have a need of these products in accordance with the specifications and in compliance wiht the related codes and laws.

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:

Refer to Sole Source/Sole brand memo

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:

See sole source/sole brand memo attached.

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: \$ 1,000,000.00

Contract length (if applicable): 1 year/2 renewal

Expenses to date: \$538,260.00

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

If yes, when and by whom?

Adapco-

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

What is the current contract (MA) or purchase order number? BLD2119387B1_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.

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"

REQUESTOR/EVALUATOR
(PRINT)

CYNTHIA MORALES Digitally signed by CYNTHIA MORALES
Date: 2022.06.23 09:37:07 -04'00'

REQUESTOR/EVALUATOR (SIGN)

DATE

DEPT./DIV. DIRECTOR OR
DESIGNEE (PRINT)

ADRIANA TORO Digitally signed by ADRIANA
TORO
Date: 2022.06.23 16:51:10 -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:

The Purchasing Agent recommends the sole source/sole brand. This request was previously approved by the Board in 2017 and 2019. Refer to Purchasing Agent's Additional Information attached.

Purchasing Agent Signature:

MARY MOSS

Digitally signed by MARY MOSS
Date: 2022.09.21 16:15:18
-04'00'

Date: 9/21/22

CAROLYN
MESSERSMITH Digitally signed by CAROLYN
MESSERSMITH
Date: 2022.09.22 10:03:55 -04'00'

Purchasing Manager

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature:

Robert Gleason

Digitally signed by Robert Gleason
Date: 2022.09.22 11:49:32 -04'00'

Date:

9/22/22



Finance and Administration Services Department

PURCHASING DIVISION

115 S. Andrews Avenue, Room 212, Fort Lauderdale, Florida 33301 | 954-357-6066 | FAX 954-357-8535 | broward.org/Purchasing

Hours of Operation: Monday through Friday 8:30 a.m. to 5:00 p.m.

PURCHASING AGENT'S ADDITIONAL INFORMATION:

Request for Information (RFI) BLD2125144F1 - Mosquito Control Supplies, was posted on August 26, 2022 and opened on September 2, 2019 (Exhibit 1). The RFI was issued to see if there are additional distributors authorized to sell the mosquito control products specified as a sole source in Exhibit 2. The RFI yielded zero response, which indicates there are no additional vendors authorized to sell the identified sole source/sole brand mosquito products (Exhibit 3). The Purchasing Agent agrees with the Highway and Bridge Maintenance Division (HBMD) that the mosquito control supplies requested as a sole source and sole brand should continually be used to combat the mosquito population in Broward County. These products were tested by HBMD and have proven to be the most effective. Using multiple products maintains product diversity and prevents chemical resistance in the mosquito population of Broward County.