



CITY OF HOLLYWOOD
PROCUREMENT SERVICES
DIVISION

CITY OF HOLLYWOOD, FLORIDA

2015 MAR 30 AM 8:10

PROCUREMENT SERVICES DIVISION

Sole Source Justification Form (Use for Purchases(s) in excess of \$1,000)

Per City of Hollywood Ordinance § 38.40 (C) (3) 'sole source' purchases are exempt from the competitive bid and competitive proposal requirements. Sole-source supplies and services, such as unique, patented, or franchised supplies or services, are exempt if the Director of Procurement Services determines, after a good faith review of available sources, that a particular supply or service is available from only one source.

Date 03-26-15

Department/Office 4000

Division/Area 4012

Contact Person LAURA CUMMINS

Title STORESKEEPER

Phone 954-924-2986

Email LCUMMINS@HOLLYWOODFL.ORG

1. Requested Vendor ACLARA RF SYSTEMS, INC

Vendor Number 32824

Address 30400 SOLON ROAD, SOLON, OH 44139

Contact Person BRUCE CLARK

Title VP, CONTRACTS

Phone 314-895-8032

Email BCLARK@ACLARA.COM

2. Product/Service being requested (be specific). STAR FIXED NETWORK AUTOMATIC METER READING SYSTEM SINGLE PORT MTUs & DUAL PORT MTUs FOR WATER METERS.

3. Detailed description of the product/service function and purpose. THE MTU IS THE ELEMENT THAT READS THE WATER METER AND SENDS THE READING TO THE BILLING DEPARTMENT.

4. Please explain in detail why this vendor is the sole source supplier for the required product/service. Be sure to explain the necessary features this vendor provides which are not available from any other vendor. THEY ARE THE MANUFACTURER OF THE EQUIPMENT AND THEY DO NOT USE 3RD PARTY VENDORS TO SELL THEIR PRODUCT.

5. Please explain in detail what process the Department/Office took to verify that there are no other vendors or products/services available to perform the required function. WE OBTAINED A LETTER FROM THE VENDOR CONFIRMING THAT THEY ARE THE ONLY SOURCE.

Procurement Service Division use only

Requisition # R
BPO _____
(As Applicable)

Purchase Order # P
(As Applicable)

Blanket Purchase Order # _____
(As Applicable)

6. Please submit supporting documentation from the vendor or other sources certifying that this vendor is a sole source for the required product/service being requested. For example, the vendor holds the distribution rights, productions rights, copyrights, trademark and/or patent:

☒ Vendor holds the exclusive rights for the product/service.

☐ Vendor is the sole provider of the product/service that has unique characteristics essential to the needs which no other product is capable.

☐ Product is replacing existing product and necessary to maintain warranty or service contract.

☒ Product is replacing existing product and is not interchangeable with any other product.

7. Total cost of the requested product/service? \$86.50 EACH FOR SINGLE PORT MTUs & \$105.75 EACH FOR DUAL PORT MTUs.

8. Total estimated annual (fiscal year) cost of requested product/service? \$50,000.00

Account Number(s) 42.4012.00772.536.005226

9. Is this product/service covered by a warranty? ☒ Yes ☐ No

If yes, please attach a copy of the warranty details.

10. Would this purchase(s) result in the potential of future purchases for related products/services being restricted to a particular vendor or create a specific vendor as sole source provider for related items?

☐ Yes ☒ No

If yes, please describe the related products/services and estimated cost(s.)

11. Would this purchase(s) result in any future maintenance costs which are not included in the initial purchase?

☐ Yes ☒ No

If yes, please attach a draft maintenance plan which includes cost estimates and funding source(s.)

12. Is this a grant related purchase? ☐ Yes ☒ No

If yes, please provide details (timeline, expiration dates, milestones, special procurement requirements, etc.) _____

Will this require matching funds? ☐ Yes ☐ No

What is the grant source? _____

What is the grant (dollar) amount? _____

13. Please complete an advanced search of the vendor recommended for award on the Federal Government's Excluded Parties List System at www.epls.gov.

Procurement Service Division use only

Requisition # R _____
BPO _____
(As Applicable)

Purchase Order # P _____
(As Applicable)

Blanket Purchase Order # _____
(As Applicable)

Date of Advanced Search 9-11-14

Company Name(s) Searched
ACLARA TECHNOLOGIES

Search Results
NO RESULTS

ACLARA

NO RESULTS

REQUESTING DEPARTMENT RECOMMENDATION

WARNING: Per Florida Statutes 838.22(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.

I recommend that the competitive quoting/bidding process be waived and that the goods/services be purchased as a sole source.



Contact Person's Signature

3-26-15

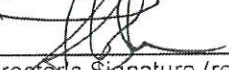
Date



Supervisor's Signature

3/26/15

Date

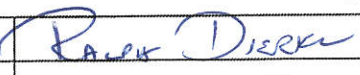



Director's Signature (required over \$10,000)

3/27/15

Date

APPROVAL (Procurement Service Division Use Only)

Verified By: 	Date	<u>3/31/15</u>
Approved By: 	Date	<u>4-27-15</u>

Procurement Service Division use only

Requisition # R _____
BPO _____
(As Applicable)

Purchase Order # P _____
(As Applicable)

Blanket Purchase Order # _____
(As Applicable)



Standard Pricing Schedule

Confidential for Hollywood, Florida

STAR® Fixed Network AMI System

2/23/2015

Description	Quantity	Price		Notes
		Each	Extended	
1 501-8150D Single Port MTU	280	\$86.50	\$24,220.00	1,2,
2 501-8150DD Dual Port MTU	56	\$105.75	\$5,992.00	1,2,4

TOTAL

\$30,142.00

General Note: This Proposal/Quotation is based upon the terms and conditions set forth in the Aclara Standard Terms and Conditions of Sales for Equipment and Certain Services that are available on Aclara's website at:

<http://www.aclaratech.com/pages/terms.aspx>

Any conflicting or additional terms and conditions contained in any resulting purchase order are hereby rejected unless agreed to in writing by Aclara.

Additional Terms:

- A. Payment Terms Net 30 Days
- B. Prices Firm 60 days from the date of quotation.
- C. All Items CPT Destination

Notes

- 1 Does not include the water meter, pre-potting of the MTU to the register or any type of inline connector.
- 2 Recommend water meter pit lids be replaced with non-metallic lids for optimum performance.
- 3 Exact quantities and types of MTUs required, to be determined. Substantial savings possible if dual port water MTUs can be used.
- 4 Dual Port MTU supports two water meters or one dual register water meter.
- 5 Actual DCU configurations may be a mixture of various mounting styles. A detailed propagation study and site survey is needed to finalize the quantities and types.
- 6 Based on current DCU Plan. This is an estimate which can change depending on DCU siting. This price does not include installation on water towers or other custom sites. Pricing and arrangements for non-standard installations will be handled individually. Typical standard installation rate (pole and roof mount) is 3 to 5 units per day.
- 7 NCC configuration based on total system size (number of MTUs and number of DCUs). Final NCC configuration will be determined by working in conjunction with IT staff. Includes monitor, keyboard and mouse. Does not include rack.
- 8 Final quantity of MTU Programmers to be determined based on installation plan and number of installers. Used to program and activate the MTU.
- 9 Add \$1,000.00 for 1-day Bucket Truck Rental if needed for access.
- 10 Reasonable travel and expenses are included, in the continental United States.
- 11 STAR System Operators Training Class includes 1 day of training at the start of system deployment and 1 day of refresher training approximately 6 months after project start up.
- 12 Should the Purchaser elect not to purchase the Aclara recommended handheld, they can purchase the Serial Interface Kit to be used with other Aclara approved third party handhelds.

Aclara RF Systems Inc. warrants to the original PURCHASER of a STAR® Utility Meter Transmission Unit (MTU) that the MTU shall perform in accordance with the specifications in effect at the time of original product shipment and shall be free from defects in material and workmanship for a period of ten (10) years from the date of original product shipment (the "full warranty period").

Any STAR® Utility MTU manufactured by Aclara RF Systems Inc. that, within the full warranty period: (i) fails to perform in accordance with the specifications in effect at the time of original product shipment or (ii) fails as a result of a defect in material or workmanship, when returned to Aclara RF Systems Inc., freight prepaid, will be repaired or replaced at the option of Aclara RF Systems Inc. without charge to the PURCHASER. A STAR® Utility MTU which has been repaired or replaced by Aclara RF Systems Inc. will be returned to the PURCHASER by Aclara RF Systems Inc., freight prepaid. All costs associated with the removal and/or reinstallation of a defective STAR® Utility MTU shall be the responsibility of the PURCHASER. Aclara RF Systems Inc. warrants replacement MTUs for the longer of (i) the remaining term of the full warranty period applicable to the STAR® Utility MTU repaired or replaced or (ii) one year from the date the repaired STAR® Utility MTU or its replacement is returned to PURCHASER. Aclara RF Systems Inc. reserves the right to supply factory refurbished equipment, new equipment, or a newer model that provides equivalent or better performance.

Extended Warranty

Subject to the limitations set forth below, Aclara RF Systems Inc., will replace any STAR® Utility MTU that, after expiration of the full warranty period but before the expiration of the twentieth (20th) full year after the date of original product shipment (the "extended warranty period"): (i) fails to perform in accordance with the specifications in effect at the time of original product shipment or (ii) fails as a result of a defect in material or workmanship. The cost of replacement will be prorated in accordance with the following table based on the number years of service before failure:

Years of Service	Replacement Cost Percentage
11	55%
12	60%
13	65%
14	70%
15	75%
16	80%
17	85%
18	90%
19	95%
20	100%

The cost of replacement will be calculated by multiplying the applicable replacement cost percentage by the STAR® Utility MTU price in effect at the time of replacement. The defective MTU must be returned to Aclara RF Systems Inc. by the PURCHASER, freight prepaid, Aclara RF Systems Inc. will pay the freight charges for the return of the replacement to the PURCHASER.

All costs associated with the removal and/or reinstallation of a defective STAR® Utility MTU shall be the responsibility of the PURCHASER. Aclara RF Systems Inc. warrants MTUs replaced pursuant to the Extended Warranty for one year from the date the replacement is returned to the

The information contained herein is proprietary and confidential to Aclara RF Systems Inc. and shall not be released or disclosed to any third party without prior written approval.

ACARA



945 Hornet Drive
Hazelwood, MO 63042
www.AclaraTech.com

314.895.6500
314.895.6543 fax

September 11, 2014

Mr. John Barletta
Director of IT
City of Hollywood
2600 Hollywood Blvd.
Hollywood, FL 33022

Subject: Aclara Sole Source Statement

Dear Mr. Barletta,

We confirm that Aclara Technologies LLC (Aclara) is the sole manufacturer, sole supplier and sole maintenance provider of the STAR Network AMI System which is currently installed throughout the City of Hollywood, Florida.

The STAR® Network and its STAR NCC Software, STAR Programmer Software, Meter Transmission Unit (MTU) and Data Collector Unit (DCU) are proprietary products of Aclara which are not compatible with any other Automatic Meter Reading System. In addition, Aclara is the only provider of STAR Software and System Maintenance Services.

We look forward to the opportunity to continue to support the City of Hollywood, Florida with our STAR® products and services.

Sincerely,

Aclara Technologies LLC

A handwritten signature in cursive script that reads "Marcia Willis".

Marcia Willis
Sr. Contract Administrator



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Notice of Intent to Award a Sole Source Procurement

Date: April 6, 2015

NTSS-037-15

Due Date for Comments: April 10, 2015

E-mail Address: rdierks@hollywoodfl.org

Fax Number: 954-921-3086

THIS IS NOT A COMPETITIVE BID

The proposed contract action is for product or services for which the City of Hollywood intends to negotiate and award with only one source under the authority of the City of Hollywood City Code Section 38.40 (C) (3) Sole-source supplies and services. Any responses received as a result of this Notice of Intent shall be considered solely for the purpose of determining whether to conduct a competitive procurement in the future. Responses will not be considered as proposals, bids, or quotes.

The Procurement Services Division has received a request to make the following sole-source procurement:

Requesting Department/Office: Public Utilities

Product and/or services to be purchased: Part # 501-8150DD quantity 280 and Part # 501-8150D quantity 56. Star fixed network automatic meter reading system single port MTUs & Dual Port MTUs for water meters.

Anticipated Cost: \$30,142.00

Sole Source Justification: Aclara RF Systems, Inc is the manufacturer of the equipment and they do not use third part vendors to sell their product. The MTU is the element that reads the water meter and sends the reading to the billing department.

Action To Be Taken:

No action is required if you agree this proposed purchase is a valid sole-source. If you do not agree that this proposed purchase is a sole-source, you may respond by submitting in writing their name, address, point-of-contact, telephone number, email, and a statement regarding capability to provide the specified procurement. Interested firms will be considered only if they respond with clear and convincing documentation that they are capable of meeting or exceeding the requirements stated herein. All responses received within five (5) business days after the date of publication of this synopsis will be reviewed by the City.

All responses must be in writing and returned to ATTN: Ralph Dierks, by Email or Facsimile number 954-921-3086 prior to the "Due Date for Comments." Please do not submit a bid for this public posting.



Welcome dmainero@hollywoodfl.org |

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or call 850-995-9111

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[Schedule](#)
[Task](#)
[Note](#)
[Vendor view of bid](#)[Chat](#) | [Description](#) | [Attachments](#)

Bid #NTSS-037-15 - Part # 501-8150DD Quantity 280 And Part # 501-8150D Quantity 56. Star Fixed Net NOTICE TO SOLE SOURCE

Time Left **Bid has ended.**Time Started **Apr 3, 2015 3:57:00 PM EDT**Time Ended **Apr 10, 2015 5:00:00 PM EDT**Agency Information **City of Hollywood, Florida, FL** ([view agency's bids](#))

Notifications

[Report Bidder Activity](#)# of suppliers that viewed **8** ([View](#))

Q & A

[View Questions & Answers](#)

Q&A Deadline: Apr 10, 2015 3:00:00 PM EDT

Department **Public Utilities** ([view department's bids](#))Bid Classifications [Classification Codes](#)Bid Regions [Regions](#)Bid Contact [see contact information](#)View Rules Click here to [change](#) the rules for this bid.Best and Final Offer: [Create](#)

Approval

[View Approval Flow](#) [View Approval Flow](#)Approval Status **Approved**

Description

Bid Number **NTSS-037-15**Title **Part # 501-8150DD quantity 280 and Part # 501-8150D quantity 56. Star fixed net**Budgeted Amount **\$30,142.00** ([change](#))Estimated Amount **\$30,142.00**Estimated Amount **\$30,142.00** (This price is estimated - not guaranteed)Description **Aclara RF Systems, Inc is the manufacturer of the equipment and they do not use third part vendors to sell their product. The MTU is the element that reads the water meter and sends the reading to the billing department.**

The proposed contract action is for product or services for which the City of Hollywood intends to negotiate and award with only one source under the authority of the City of Hollywood City Code Section 38.40 (C) (3) Sole-source supplies and services. Any responses received as a result of this Notice of Intent shall be considered solely for the purpose of determining whether to conduct a competitive procurement in the future. Responses will not be considered as proposals, bids, or quotes.

Documents

[Select All](#) | [Select None](#) | [Download Selected](#)1. [NTSS-037-15 Aclara.pdf](#) ([download](#))

= Included in Bid Packet = Excluded from Bid Packet

Contractor Advertisements

[View All Ads](#)

There are no advertisements on this solicitation.

NOT AWARDED REASON

City of Hollywood did not receive any responses to the NTSS and will proceed with award to Aclara.

[Leave Feedback](#)