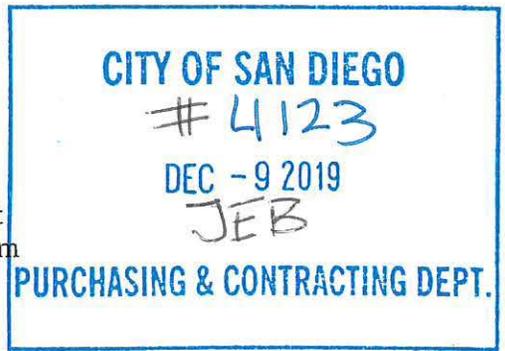


Purchasing and Contracting Department
Sole Source Request and Certification Form



To: Director of Purchasing and Contracting
Cc: Deputy Chief Operating Officer, General Services
From: Duncan Hughes, Deputy Director, Transportation Engineering Operations Division
Date:

In alignment with the guidance provided in the San Diego Municipal Code section 22.3016, the Purchasing Agent (Director of Purchasing and Contracting) must certify that the award of a sole source contract is necessary by memorializing in writing why strict compliance with a competitive process would be unavailing or would not produce an advantage, and why soliciting bids or proposals would therefore be undesirable, impractical, or impossible.

For consideration, this form must be completed and all required accompanying information must be submitted together, including any related contracts. Failure to do so will result in a delay of approval of the request.

Describe commodity or service(s) to be purchased. Include vendor contact information.

Transportation Engineering Operations Division is requesting approval to purchase Rhythm Engineering's InSync Adaptive Control system three (3) years extended warranty for nine (9) intersections. The InSync Adaptive Control system is a proprietary product that is developed and maintained by Rhythm Engineering. One of our division's key functions is to optimize the operation of traffic signal systems in the City with the objective of reducing traffic congestion, delays, and air pollution. Over the past five years, the City of San Diego deployed the InSync adaptive control systems at fifty seven (57) intersections along Lusk Boulevard, La Jolla Parkway, Friars Road, Mira Mesa Boulevard, and Rosecrans Street. These systems resulted in a reduction in traffic stops, delay, and greenhouse gas emissions which complies with the City's Climate Action Plan. The purchase of these systems included five (5) years warranty that covered hardware and software support.

Currently, 9 out of the 57 intersections are out of warranty. In order to maintain the same quality of performance at these intersections, we are requesting approval of a purchase of \$27,000.00 from Rhythm Engineering. This cost will cover the purchase of InSync systems extended warranty for the next three (3) years for a total of nine (9) intersections that are out of warranty. This extended warranty will cover technical support and firmware upgrades. Rhythm Engineering's Client Support Advisor Brandon J. Hewitt may be reached at (913) 227-0603.

Justification

1. This product or service is available from only one supplier and meets at least one of the following criteria (please check all that are applicable):
- One-of-a-kind/Compatibility*
 - a. Required by Warranty: the product matches existing equipment, infrastructure and is required by warranty. **(A letter from the provider which supports this claim must be provided.)**
 - b. Goods and Services:
 - i. the good has no competitive product or alternative on the market.
 - ii. the service requires a special skill, ability, or expertise linked to the current project that cannot be provided by another supplier.

(Documentation in support of either of the above claims must be provided by the requesting department.)
 - City Standards*

The product or service complies with established, existing City standards.
 - Replacement*

The product or service is the only compatible replacement component that supports a larger system. Or, the services are the only ones that can replace the existing service requirements.
2. Do any of the following situations exist?
- Limited Competition*

Department made an attempt to find a second or multiple sources to no avail.
 - Emergency*

There is an urgent need for the item or service and time does not permit the City to solicit for competitive bids, as in the cases of emergencies as defined under SDMC section 22.3208,. (Delays in solicitation do not satisfy this criteria)

Cost/Market Analysis

Purchasing and Contracting will perform due diligence on each request. If Purchasing and Contracting can find a suitable, cost effective alternative, this request will be denied and that alternative will be pursued after your department has been contacted to discuss the revised determination.

This form does not take the place of an agreement and all sole source requests for a period of one year or longer will require the **submission of an agreement**. The requesting department must submit a purchase requisition and a copy of this certification to Purchasing and Contracting for a Purchase Order to be issued.

PCO Due Diligence (PCO to initial all that apply)

Proof of warranty or maintenance requirement for standardized and replacement items confirmed.

Vendor/Supplier confirmed submission of justification letter.

Market test confirmed that there is no advantage to the City in competing this contracting opportunity to multiple vendors.

Emergency verified with the department.

Pricing agreement has been reviewed.

Purchasing and Contracting has reviewed this request and affirms that this request for a sole source justification is appropriate.

This sole source is approved for:

One (1) year from the signature date below.

For the entire length of the contract, but not more than five (5) years.

The length of the contract must be consistent with the sole source approval. A sole source request must be submitted and approved by the Purchasing and Contracting Director prior to the award of each new contract and prior to each extension of an existing contract that was not contemplated in the initial contract term.

After reviewing the provided information and due diligence, I cannot recommend the approval of this request.

Purchasing and Contracting Director Review

I certify that strict compliance with a competitive process would be unavailing or would not produce an advantage, and that soliciting bids or proposals would be therefore undesirable, impracticable or impossible. My approval is contingent on the information provided in this form.

In accordance with SDMC §22.3016, this request is approved.

Based on the information provided and due diligence recommendation of staff, this request is denied.



Kristina Peralta, Director, Purchasing and Contracting

7 FEB 2020
Date