

# METHOD OF SOURCE SELECTION

## Waiver for Non-Competitive Procurement

### NOTE TO PREPARER

The purpose of this form is solely for the department to justify why the requested purchase, over \$5,000, is not being competitively quoted or bid. Signature by the Procurement Manager or their designee on this form indicates only agreement as to the reasonableness of the specified selection method justified herein; it is not authority to make the purchase.

Department is required to route any contracts through City Attorney and Risk for the respective approvals.

**SELECT ONE OF THE FOLLOWING CHOICES:**

Initial MOSS     Revised MOSS (reason(s) for revision):

DATE: 5/5/20      DEPARTMENT: Regional Transit System      DIVISION: \_\_\_\_\_  
CONTACT: Roy Darnold      EXTENSION: 7820

PURCHASE/PROJECT AMOUNT: \$2,092,844.00      COST TERM: 1 year (annual, quarterly, etc.)

One-Time, Single Purchase     Contract/Purchase Order/Agreement/Project Term Begin/End Dates: 8/1/2020/7/31/2021

COMMISSION APPROVAL REQUIRED (OVER \$100K):  No, per Procurement Policy # \_\_\_\_\_ (click [here](#) for policy)  Yes, date: TBD

DESCRIPTION OF THE MATERIAL OR SERVICE TO BE PROVIDED: Intelligent Transportation System (ITS) Migration, including hosting and cellular service, for 136 fixed route vehicles.

VENDOR NAME: Clever Devices LTD  
ADDRESS: 300 Crossways Park Drive  
CITY, STATE, ZIP: Woodbury, NY 11797

Vendor is already in Financial System -- VC0000107517 and  Vendor Active Status is "Active"

**Select one of the following choices:**

Other Agency (1)     Professional Services (2)     Continuing Contracts (2)     Sole Source (2)     Specified Source (2)

Note: For an Emergency Purchase complete the stand-alone Emergency Purchase Request form

(1) Attach required documentation (ITB, Bid Record, Awarded Response, Complete Contract, and an executed "bridge agreement" or email from legal if not required, etc.)

(2) Refer to respective Procurement Policy for more information. Written detailed justification is required for these selections (please be specific): In FY19, RTS upgraded the voice annunciation system on the majority of the fleet (approximately 82%) with new DR700 units from Clever Devices LTD under an approved MOSS form and CC approval on 11/15/18. This investment of over \$1.3 million was funded by a Federal Transit Administration (FTA) grant. By migrating to the Clever Devices standard off-the-shelf Intelligent Transportation System (ITS), RTS can mitigate cost and capitalize on the previous investment in Clever Devices' DR700 onboard technology and other hardware (collectively totaling over \$1.7 million invested over the last few years). This solution would complete this phase of RTS' ITS technology by building on the current system.

This phase requires only fixed-end software with hosting and cellular services. The onboard solution includes migration to Clever Devices' Intelligent Vehicle Network (IVN) software platform, upgrading the remaining buses to be equivalent to the recent retrofit campaign, and installation of an onboard router for the entire fleet to support public Wi-Fi. In addition, this provides capability to integrate with digital information displays at the transfer stations in the future. Funding for this capital investment and 1st year of operating costs have been identified utilizing FTA grant funds. The DR700 is proprietary hardware that could not be reused by another Computer Aided Dispatch/Automatic Vehicle Location (CAD/AVL) vendor, thus Clever Devices is the sole service vendor.

**Certification/Statement of Need:**

The Requester hereby certifies that this proposed waiver of non-competitive procurement is based upon an objective review of the required product/service and appears to be in the best interest of the City. I know of no conflict of interest on my part or personal involvement in any way with this request or entity selected. No gratuities, favors or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or firms been a deciding influence on my request to waive competitive bidding on this purchase if other suppliers are known to exist.

**Requester:** Roy Darnold  5-5-2020  
Printed Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

**Department (Division) Head:** Jesus Gomez  5/5/20  
Printed Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

**Procurement Manager or Designee:** Doug Drymon 5/5/2020  
Printed Name/Signature \_\_\_\_\_ Date \_\_\_\_\_