



DATE:

SUBJECT: JUSTIFICATION TO WAIVE THE COMPETITIVE PROCUREMENT
PROCESS

(IAW Purchasing Admin Code Section 3.5523)

OVERVIEW:

On rare occasions there may be a need to purchase goods or services from one vendor/contractor without a formal bid or requesting competitive quotes. PCD will advise when a particular competitive review process may both serve the County better and/or be required by governing law. These requests should not be made unless they are appropriately justified to meet legal requirements and can withstand a possible audit.

To process a Sole/Single Source requisition through purchasing, PCD encourages you to review the criteria necessary for Sole/Single Source determination. If you feel your request meets such criteria, follow the instructions in filling out the form and attach it to your requisition. The request will be reviewed by PCD.

Note: Dealer competition for a Sole Source manufacture does not qualify as competitive procurement specifications.

SOLE SOURCE PURCHASING:

The only existing source that meets the needs of the User Department as determined by a thorough analysis of the marketplace and is supported by compliance with the appropriate information, as stated in Section 60, Title L-8 of the County Manager's Policies.

SINGLE SOURCE PURCHASING

The one source among others that, for justifiable reason, is found to be most advantageous for the purpose of the procurement and is supported by compliance with the appropriate information, as stated in Section 60, Title L-8 of the County Manager's Policies.

Determination Checklist

1. Is the commodity/service necessary to accomplish the task or mission?
Yes No
2. Is the commodity/service the only item that will produce the desired results or possess a unique performance capability? Yes No
3. Is the commodity/service available from only one source of supply?
Yes No
4. If the commodity or service is available from more than one vendor, but due to extreme circumstances, is the vendor the only one suited to provide the goods/services? Yes No

**Seminole County
Purchasing and Contracts Division**

Note: Sole/Single Source Requests are not maintained as a standing request. Each request is for a single one-time purchase only, unless approved by the Board of County Commissioners.

SINGLE SOURCE

SOLE SOURCE

Requestor: John Hansen Phone No.: 407-821-2445 Date: May 20, 2024

Department: Fire

Division: Planning

Description of Item/Services: FotoKite tethered drone

1. Please indicate the following:

Procurement: Goods
 Services

2. Vendor Information (*Attached Completed W-9*):

Vendor Name: Ten-8 Fire & Safety, LLC

Address: 2950 59th Avenue Drive E. City: Brandenton State: FL

Phone Number: (352) 638-6365 Fax: (____) _____

Contact Person: Mitchell Wilkerson Title: Sales Representative

E-Mail Address: mwilkerson@ten8fire.com

3. Provide a description of the goods/services to be purchased and why waiving the competitive process is necessary.

a) Why were product and/or vendor chosen?

The product was chosen due to the unique design and use that it provides. The vendor was chosen because they are the only vendor that sells the unit.

b) What are the unique performance features of the product/brand requested that are not available in any other product/brand?

For Services: what unique qualifications, rights, and licenses does the vendor possess to qualify as a Sole Source/Single Source/request?

This is a tethered drone that can be rapidly deployed on an emergency scene within 2 minutes time and does not require the constant supervision that a traditional drone requires. They are the only manufacturer of this kind of product at this price point.

c) Conduct and provide a Cost Benefits Analysis that supports paying a non-competitive price:

During our research and testing process only 2 companies had products that we were looking for, Fotokite and Hoverfly. Fotokite met more of our specification needs, such as ease of use, transportability, and single user ability. Hoverfly does make a tethered drone, but it did not meet all our needs where Fotokite did. Also, the Hoverfly drone cost \$120,000 versus Fotokite cost of \$40,000. So for the system that met our needs and was cost effective we chose the Fotokite system.

ITEMS (d – h) REQUIRED FOR SINGLE SOURCE REQUEST

d) Why are these specific features/qualifications required?

e) What other products/services have been examined and/or rejected?

f) Why other sources providing like goods or services are considered unacceptable (please give a full meaningful explanation)?

g) What are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this precise item or service?

h) How will your mission/operation be impacted if the County does not purchase the particular item/service? Please explain.

Posting Requirements: PCD shall conduct a good faith review, posting the requirement publicly for 7-10 business days, followed with the notice of intent to purchase.

I hereby certify that:

1. I am an approved department representative and am aware of the County's requirements for competitive bidding, as well as the criteria for justification for Sole/Single Source purchasing.
2. I have documented the required technical information and have made a concerted effort to review comparable equipment/service.
3. The information contained herein is complete and accurate.
4. A Sole/Single Source purchase in this case would withstand a possible audit or a vendor's protest.
5. I am aware of F.S. 838.22 as to compliance with Bid Tampering.

John E. Hansen
Requestor's Name - print
John E. Hansen
Signature
05/31/2024
Date

Donald W. Harkins, Jr.
Requesting Division Manager - Print
(Required for purchases <\$50K)
Donald W. Harkins, Jr.
Signature
6/4/24
Date

B. DeCuir
Requesting Department Director - Print
(Required for purchases >\$50K)
B. DeCuir
Signature
6/4/24
Date

Purchasing and Contracts Division Determination:

Supervisor Approval Disapproval Date: 6/6/24
Manager Approval Disapproval Date: 6/6/24 *ghe*

Description Posted (7-10 business days): From N/A

BCC Date, if applicable: 6/25/2024

Comments: 53-604841-24

Purchase Order No.: TBD Amount of Purchase: \$ 124,597.



TEN-8 FIRE & SAFETY, LLC
2904 59TH AVENUE DRIVE EAST

BRADENTON, FL 34203
USA
Phone: 800-228-8368
Fax: 941-756-2598

Sell To:

SEMINOLE COUNTY BOCC

P.O. BOX 8080
COUNTY FINANCE
SANFORD FL 32772-8080
USA

Original

QUOTATION

Quote Number **231028559** Document Date **05/14/24** Page **1/1**

Customer No. **C00892** Federal Tax ID - Business Partner **85-8013708974c-0**

PO Number

*

Sales Employee **Wilkerson, Mitchell B** Email **mwilkerson@ten8fire.com**

Document Owner **Kotecki, Robert** Email **rkotecki@ten8fire.com**

Delivery Address

SEMINOLE COUNTY BOCC

203 Valentine Way
Longwood FL 32750
USA

| Description | Quantity | UoM | Vendor | Price | Total |
|---|----------|-----|-----------------|-----------|------------|
| 11903-013 FOTOKITE SIGMA TRANSPORT CASE RED CASE WHEELED 120V LIVE APP NO TABLET | 3 | EA | FOTOKITE US LLC | 34,839.00 | 104,517.00 |
| 12590-001 FOTOKITE RUGGED COMMAND TABLET WITH LIVE APP WINDOWS OS | 3 | EA | FOTOKITE US LLC | 3,100.00 | 9,300.00 |
| 20000-010 FOTOKITE REMOTE VIDEO STREAMING SUBSCRIPTION 1 YEAR | 3 | EA | FOTOKITE US LLC | 2,682.92 | 8,048.76 |
| 20000-006 FOTOKITE ON-SITE OPERATOR TRAINING HALF DAY | 1 | EA | FOTOKITE US LLC | 2,731.71 | 2,731.71 |
| PRICED PER LAKE CO. CONTRACT #22-730K EXPIRES 07/31/2025 | | | | | |

Shipping: Ground

Subtotal: **\$ 124,597.47**

Total Before Tax: **\$ 124,597.47**

Total Tax Amount: **\$ 0.00**

Total Amount: \$ 124,597.47

Valid Until: **06/14/2024**

All returns must be initiated within 30 days of receipt of product and will be charged a restocking fee. Contact your sales representative to receive a Return Materials Authorization (RMA). Special order parts are not returnable. Full terms and conditions for returns can be found on our website at <https://ten8fire.com/return-policy/>



02/05/2024

To: Ten-8 Fire & Safety, LLC

Re: Sole Source Letter for Ten-8 with Fotokite Drones

A sole source justification exists because the following goods and services required to satisfy the agency's needs are only available by the Fotokite Sigma drone, and are only available for purchase through the authorized distributor listed below for the Fire & EMS market in Florida and Georgia.

Fotokite Sigma Drone

Fotokite Sigma Drone

- Made in the USA
- Six-rotor drone designed to be stable if one motor fails
- Rooftop Box installation for some emergency response vehicles
- FAA does not require a Part 107 Pilot's license or certificate of waiver or authorization (COA) for operation
- Actively Tethered drone with a 150-foot (45-meter) maximum flight height
- Wi-Fi and LTE technology
- IP55 weather rating
- Thermal video resolution is 320 x 256 / 30 fps and low-light RGB video with 10x Optical Zoom and 6x digital zoom is 12 megapixel, 1080p /30 fps
- Operable in wind conditions of up to 30 miles per hour (45 kilometers per hour)
- 24 hour flight capability

| AUTHORIZED DISTRIBUTOR FOR FOTOKITE-BRAND PRODUCTS | AUTHORIZED REPAIR FACILITY FOR FOTOKITE-BRAND PRODUCTS |
|--|---|
| Ten-8 Fire & Safety, LLC 2950 59th Avenue Drive E. Bradenton, FL 34203 | Fotokite US LLC 3125 Sterling Circle, STE 107 Boulder, CO 80301 |

Sincerely,

Cody Lockwood
Sales Director
Fotokite US LLC