

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: TBD

CAPTION: Automated Traffic Safety Enforcement System Maintenance Services

PROPOSED CONTRACTOR: American Traffic Solution, Inc.

PROGRAM AGENCY: DC Metropolitan Police Department (MPD)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 and 1702

2. MINIMUM NEED:

The District of Columbia, Metropolitan Police Department (MPD) requires a contractor to provide support and maintenance services for the existing Automated Traffic Safety Enforcement (ATSE) System.

Period of Performance is one (1) year from date of award with two (2) one-year options.

3. ESTIMATED REASONABLE PRICE:

\$5,000,000.00 based on the current contract.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

American Traffic Solution, Inc. (ATS) has been the Contractor for the District of Columbia Metropolitan Police Department's (MPD) Automated Traffic Safety Enforcement (ATSE) system since December 22, 2006. The contract POFA-2006-C-2006 had a three year base and two one-year option periods. The contract covers fifty-two (52) red light cameras, twenty-one (21) mobile vehicle-based speed enforcement units, and twenty-five (25) fixed and portable stationary speed enforcement units. The contract covers the existing equipment that was either present when the contract started or that has been purchased from ATS during the lifetime of the contract. Almost all of the units supported by this contract have been purchased from ATS in the last two years of this contract and are still fully functional.

There are four components to the contract. The first CLIN is a flat, fixed monthly fee for providing all field service and initial violation processing for all of the existing units in this contract. The contract establishes a set fee per type of unit per month, since some

units require more labor than others. The contractor charges a fee for the first CLIN based on the number of units that are deployed in a month at the per-unit rate for the contract period. The second CLIN covers replacement and repair costs for existing equipment. The units can be damaged and require repair or sometimes replacement. The third CLIN covers costs related to public information and education. The fourth CLIN covers the rent and utilities for 3165 V Street NE, Washington, DC, which is the facility that ATS leases and where the operations for ATS and MPD are co-located.

MPD requires ATS to continue to provide the same support and services for the equipment they currently support for a period not to exceed three years, from March 1, 2012 to February 28, 2013. There is no provision in contract POFA-2006-C-0066 to provide for another vendor to maintain their equipment at the end of the contract nor is there any provision for the data, images and video captured for violations to be processed by another vendor's back-end processing system.

It is imperative that the District have a contract vehicle to maintain the equipment and provide the processing of the detected violations for an additional three years. This contract and equipment is not affected at all by the impending contracts for new photo enforcement equipment for gridlock, stop signs, motor carrier, and pedestrian safety violations. The equipment supported by ATS is completely separate from the new equipment and is the core of our red light and speed enforcement efforts.

They are the only vendor who can operate their equipment to ensure proper maintenance and servicing. They are the only vendor who can perform the initial processing for the citations that are generated by their equipment.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are true, correct and complete.

Date

Cathy L. Lanier
Chief of Police
Metropolitan Police Department

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because _____]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Derrick White
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer