

**NOTICE OF INTENDED DECISION  
TO ENTER INTO A SINGLE SOURCE CONTRACT  
(PUR 7778)**

This notice of intended decision to enter into a single source contract is posted in accordance with section 287.057(3)(c), Florida Statutes.

AGENCY

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

TITLE

Short description of the commodity or service desired:

**SIEMENS BUILDING TECHNOLOGIES, INC.**

CONTACT

Name: **VIANKA COLIN, PURCHASING DIRECTOR**  
Address: **407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, FL 32399**  
Telephone: **(850) 617-7181**  
Email: **Vianka.Colin@FreshFromFlorida.com**

Internal tracking number, if any: **SS 15 16 71**

DMS Single Source number, if applicable:

**Date Posted: 06/04/2014; 02:00 P.M.      Time Posted: 06/09/2015; 2:00 P.M.**

Commodity or Service Required (commodity class and group, manufacturer, model, and description, as appropriate): **72151207**

Requestor (division, bureau, office, individual, as appropriate): **Christie Hutchinson, Division of Administration**

Performance and/or Design Requirements (intended use, function or application, compatibility etc. requirements; reference to policy, rule, statute or other act of the Legislature, etc., as appropriate):

**The current Siemens Industry, Inc., (Building Technologies Division) APOGEE control system serving Florida Department of Agriculture and Consumer Services (FDACS) has been in place since the completion of the Lab Complex HVAC Renovation Project in 2007. The HVAC equipment is connected to the existing APOGEE control system. Siemens Industry, Inc., has been maintaining this system since April 2007. Siemens Industry, Inc.'s, technicians are factory trained and certified in routine and comprehensive tasks specific to the APOGEE product line. Siemens Industry, Inc., maintains an expansive inventory of manufacturer parts and provides 24-hour services to keep systems operating to avoid disruption to critical testing procedures and protocols of the entire Lab Complex consisting of 10 separate labs. Services by other vendors that state they are BACNet compatible do not meet the authorized requirements and will require that third party BACNet hardware utilize proprietary software or support in order to be fully maintained and serviced. Additionally, the services under this contract are vital to FDACS and must be continued without interruption to ensure the continued testing services of the FDACS Lab Complex. The requirement for continuity of services provides further justification to continue to obtain required services and replacement parts and material from Siemens Industry, Inc., on a direct contract basis. The phase in, phase-out services would take at least ninety (90) days to transfer the responsibilities and programming knowledge to a replacement contractor. This would create a substantial duplication of cost to FDACS that would not be recovered through competition. Siemens Industry, Inc., has been**

providing service for these facilities and the Nathan B. Mayo Building for many years, and their technicians have a unique and significantly complex knowledge of these buildings and the deployment of APOGEE at these sites.

Intended source (vendor, contractor):

**SIEMENS BUILDING TECHNOLOGIES, INC.**

Price:

**Approximate Amount: Up to \$194,000**

**Approximate Contract Amount: \$66,150**

Justification for single source acquisition (what is necessary and unique about the product, service or source; steps taken to confirm unavailability of competition, as appropriate):

Siemens Building Technologies, Inc., is the only known source able to provide this service. The automation system serving FDACS is a large and complex network of systems requiring a high level of APOGEE product and networking knowledge. Included in this is the HVAC equipment including but not limited to chillers, air handlers, cooling towers, and controlling equipment. The APOGEE system software, which is exclusively a proprietary product of Siemens Industry, Inc., requires periodic upgrades in order to maintain the equipment properly as well as expand capabilities for the future. FDACS believes the Department's needs can only be satisfied by Siemens Industry's unique capabilities, and they are the only reasonable source available to maintain the APOGEE System on a reliable and cost effective basis due to the distinctive requirements necessary to maintain the system. Siemens Industry, Inc., as patent holder and manufacturer of APOGEE will sell services and products required at a price lower than any third party organization. A review of the state postings for single sources indicate several other agency's unique requirements to utilize Siemens Building Technologies services (Department of Management Services and Department of Transportation) based on these same factors.

Single Source:

**In accordance with 216.3475, F.S., as a non-competitive award, the rate of payment stated herein is not in excess of the competitive prevailing rate for these services.**

Approved By (names & titles, as appropriate, e.g., requestor, requestor management, information systems, budget, purchasing, DMS approver):

**Christie Hutchinson, Division of Administration  
Vianka Colin, Purchasing Director  
D. Alan Edwards, Director, Division of Administration**

**Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to file a bond or other security within the time allowed for filing a bond, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.**