

A sole source **determination** is not effective until the **sole source request for determination** has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the MRCOG Chief Procurement Officer.

I. Name of Agency: Mid-Region Council of Government

Agency Chief Procurement Officer: Kim Monjaras

Telephone Number: 505-247-1750

II. **Name** of prospective Contractor: Consolidated Traffic Controls, Inc

**Address** of prospective Contractor:

1016 Enterprise Place  
Arlington, Tx 76001

**Amount** of prospective contract:

\$38,086.72

**Term of** prospective contract:

Single purchase

III. **Please** thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

- a. DA4 Data Aggregator (Requires software license to use)
- b. 5 Band MIMO Antenna – SMA
- c. SIM Card for Cell Service
- d. Cellular Data Service 1 Y
- e. Travel Time (Travel and Delay Time, O/D) 5 Yr License

IV. **Provide** a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor **the one source** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

Response– The problem that we faced with data collection was due to the longer corridor lengths, the need for a device with the capabilities of a strong signal capture rate, and finally, a cloud-based querying, reporting, and archiving service included. Throughout 2014 and after reviewing the Bluetooth enable devices (considered first generation) through consultations with local agencies and vendors, I determined that that technology would not suffice. It was then that my research led me to discussions with the City of Greeley Colorado Public Works and their experience with the Wifi enabled devices, considered “second generation”. The wifi capabilities met my specs for a higher than normal minimum capture rate, and as it turned out, Acyclica owns the patent for this

communication technology as included in the Roadtrend and DA series devices. Also included with the Acylica product line is the cloud-based querying, reporting, and archiving capabilities. We needed a minimum of 25% capture rate, so devices are additional and will complement the same type of devices that we already have deployed and that are in operation for the purpose of collecting wifi-based travel time and speed data. The devices are uniquely able to collect this data under the required multi agency and sizable length of the corridors involved. Since the Roadtrend product, Acylica, now owned by Flir, has improved the device naming it the DA 3000/4000. AM Signal in close partnership with Acylica is uniquely qualified to support this endeavor given the nature of the data collection and support needs and the familiarity with the region including current involvement with the agency stakeholders involved. The data is shared by MRCOG with the member agencies including the City of Rio Rancho, City of Albuquerque, NMDOT, and Bernalillo County.

- V. **Provide** a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are **unique and how this uniqueness is substantially related to the intended purpose of the contract.**

Response - The Acylica devices, for which AM Signal is the sole supplier for Acylica and parent company Flir, utilize WiFi communications which are far superior to other competitors that rely on Bluetooth. Acylica owns the patents (PN 9842495, 9349286) to this particular capability,

- VI. **Explain** why other similar professional services, services, construction or item(s) of tangible personal property **cannot** meet the intended purpose of the contract.

Response – Bluetooth devices was also evaluated, and it was determined that as a package they did not include wifi, nor did they include with purchase the cloud-based data analysis, query, and archiving service. AM Signal is the sole supplier for Acylica, who's wifi-based data collection form the basis of this data collection array. Also, the Acylica devices include cloud-based data reporting. No other vender offers the Acylica device.

- VII. **Provide** a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent's vendor list. Include a list of businesses contacted (**do not state that no other businesses were contacted**), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

Response – The needs of the corridor, ie, longer than standard roadway data collection lengths, necessitate the need for the WiFi based devices. Beginning in the spring of 2015, I had initiated a review of industry standards, trade publications, and conducted discussions with outside agency colleagues in Colorado and Arizona in review of roadside device capabilities. These discussions revealed that the Acylica product was the only product that could integrate the necessary high level data collection capabilities as well as provide a cloud-based archiving, querying, and summary report feature. Contact was then made to Acylica directly in July of 2015 via a presentation at an ITS New Mexico membership meeting and follow up communication with staff and representatives from Acylica and AM Signal.

Certified by:

Date: 9/11/20

Kim Monjaras  
Chief Procurement Officer

Agency Approval by:

Date: 9-11-2020

Dewey V. Cave  
Executive Director, Dewey V. Cave