



JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: *POLICE DEPARTMENT*

Department Contact: *LT. J. CROSS (HQ)*

Description of Supplies/Services: *Intoxilyzer 9000 breath alcohol testing instruments and accessories*

Demonstration of Contractor's Unique Qualifications:

The Fulton County Police Department currently owns and operates an "Intoxilyzer 5000" breath alcohol testing instrument (and accessories). The "Intoxilyzer 5000" is currently the only instrument used for evidential breath alcohol testing in the state of Georgia, and is manufactured by "CMI Inc." The "Intoxilyzer 5000" is a critical tool that the Fulton County Police Department uses when investigating impaired drivers.

The instrument is used to determine the B.A.C. (Blood Alcohol Concentration) of a driver who is impaired due to the consumption of alcohol, and the results are a critical piece of evidence in the prosecution of a driver charged with D.U.I. As of December 31, 2015, the "Intoxilyzer 5000" will no longer be an approved evidential breath testing device in the state of Georgia.

The GBI-DOFS completed a thorough evaluation and review of available breath alcohol testing instruments, and determined that the "Intoxilyzer 9000" is the best available instrument for the Georgia breath testing program. The "Intoxilyzer 9000", which is also manufactured by "CMI Inc.", is the instrument that has been approved for use in the state of Georgia as an evidential breath testing device. The Fulton County Police Department has received information that "CMI Inc." is a sole source provider of the "Intoxilyzer 9000" and required accessories (gas delivery system, external USB printer w/cable, ISO calibration), and are unaware of any other vendor that can currently provide the same instrument (and accessories).

If the Fulton County Police Department does not receive approval to purchase this instrument (and accessories), the ability of the department to investigate impaired drivers (approximate cause of a numerous traffic accidents and traffic deaths) will be greatly diminished.

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey:

Date Public Notice posted on website: *Thursday, January 14, 2016*

Date Public Notice closed: *Thursday, January 21, 2016*

REVIEW OF OFFER(S)

Were any offers received (Y/N):

Number of offers received:

Respondents:

Date Offers submitted to User Department for review:

User Department review and recommendation:

Purchasing Agent review and recommendation: *Include whether a competitive process is being recommended & estimated date of solicitation.*

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished, per the Fulton County Code of Ordinances §102-384, Award without competition.

I, Felicia Strong-Whitaker, Purchasing Director, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Felicia Strong-Whitaker
Purchasing Director

Date

I, Dick Anderson, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Dick Anderson
County Manager

Date