

8. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services, or construction.

Collision Forensic Solutions, LLC, is the only company that is both qualified to act as an authorized dealer for Leica Geosystems (the manufacturer of Leica ScanStation P30) and conduct the associated training necessary to use the equipment. This is essential as their unique dual status guarantees that the HPD obtains a totally interoperable system. It ensures the valid transfer of device warranties while providing Accreditation Commission for Traffic Accident Reconstruction (ACTAR) certified training by licensed software instructors and provides follow-up technical support. *See attached*

9. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the agency needs.

While there are other authorized dealers that sell the Leica ScanStation P30, their price is established by Leica Geosystems, the manufacturer. The Traffic Division currently uses this exact technology. Collision Forensic Solutions, LLC, is the only authorized dealer that also provides ACTAR and IAI certified training for users of this technology. Having Collision Forensic Solutions, LLC, provide both the equipment and the training is in the best interest of the city.

10. Person that will be responsible for managing this procurement:

Department/Division: Honolulu Police Department

Contact Name/Title: Sergeant Benjamin Moszkowicz

Phone Number:

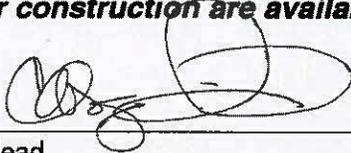
808-723-3404

E-mail Address:

bmoszkowicz@honolulu.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

I certify that to the best of my knowledge, that the information provided above is true, correct, that there is no conflict of interest related to this procurement, and that the goods, services, or construction are available through only one source.



Department Head

10-19-15

Date

Reserved for BFS Use Only

Date Notice Posted: _____

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
 Department of Budget and Fiscal Services
 530 South King Street, Room 115
 Honolulu, Hawaii 96813
bfspurchasing@honolulu.gov

Chief Procurement Officer's comments:

APPROVED **DISAPPROVED** **NO ACTION REQUIRED**

Chief Procurement Officer

Date

NOTICE AND REQUEST FOR SOLE SOURCE

ADDITIONAL INFORMATION

6. The good, service, or construction has the following unique features, characteristics, or capabilities:

Additional Information: The Leica ScanStation data gathered has satisfied the Daubert standard in federal court.

Daubert Standard: Standard used by a trial judge to make a preliminary assessment of whether an expert's scientific testimony is based on reasoning or methodology that is scientifically valid and can properly be applied to the facts at issue. Under this standard, the factors that may be considered in determining whether the methodology is valid are: (1) whether the theory or technique in question can be and has been tested; (2) whether it has been subjected to peer review and publication; (3) its known or potential error rate; (4) the existence and maintenance of standards controlling its operation; and (5) whether it has attracted widespread acceptance within a relevant scientific community. See *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). The Daubert standard is the test currently used in the federal courts and some state courts. In the federal courts, it replaced the Frye standard.

Daubert standard. (n.d.). Retrieved from http://www.law.cornell.edu/wex/daubert_standard

7. How the unique features, characteristics, or capabilities of the goods, services, or construction are essential for the agency?

Additional Information: Accuracy: Currently, HPD can retrieve 60 – 80 aerial data points per investigation, and 150 – 500 ground data points per investigation. Leica ScanStation can produce 3.5 million data points per investigation. Leica ScanStation does provide a 360 degree scan for any size of crash investigation.

Performance: Currently HPD road closure times average 123.5 minutes in length, depending on the size and complexity of the investigation. Leica ScanStation has the ability to scan the investigation scene 10 times faster than HPD's current investigation procedures, which results in reduction of road closure times.

Leica ScanStation P30 was named in US Department of Highway Safety Grant No.: FLEX2016 – Project 18, which requires HPD to select and procure in accordance to 103D-102

With the added Daubert standard regarding handling and storing evidence gathered, the evidence will be admissible in a court of law.

8. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services, or construction
Additional Information: Leica ScanStation P30 was named in US Department of Highway Safety Grant No.: FLEX2016 – Project 18 and approved on October 14, 2015, by the State of Hawaii Highway Safety Manager.
Sole Source letter notarized and provided by Leica naming Collision Forensic Solution LLC as the only authorized dealer/distributor for the Leica ScanStation (hardware, software, and training).