TOWN OF VIENNA   Request For Waiver

Dept	Date	Dept Head Signature	Proposed Vendor	Amount
DPW	03/19/2024	03/19/24 | 10:33 AM EDT DocuSigned by: Brad Bair 0AC418A47EAC445...	Cubic ITS INC – Vendor # 8115	$ 9,291.00

A Request For Waiver is required by the Town's Procurement Policies and Procedures.
Check the box below that best applies.

Sole Source/Proprietary	X	Emergency Procurement	—	Waive Purchase Procedures	X

CHECK JUSTIFICATION(S) BELOW THAT APPLY TO THE PROPOSED PURCHASE AND SUPPLY DOCUMENTATION/EXPLANATION AS REQUIRED

X__ 1. Commodity/Service is from the original manufacturer or provider. There are no other distributors. (Findings must be documented below or attached)

____ 2. The product is an integral part of existing equipment. Other brands not interchangeable. (State manufacturer and model number of existing equipment below.)

X__ 3. Only known product that meets the specialized needs of the department to bring about continuity of results. (Explain in detail below or attached)

____ 4. Staff has had extensive training and/or experience with the product. Purchase of other than proposed product would incur substantial cost in re-training. (Explain in detail below or attached)

____ 5. Purchase of this item/service is of an urgent nature because it is essential to public health & safety. (Describe in detail below)

____ 6. Unable to obtain 3 or more quotes for item/service (Explain in detail below or attached)

____ 7. Competitive negotiation (or quotes) is either not practicable or not fiscally advantageous, as described below.

____ 8. Confirming Purchase Order (Explain reason for expenditure without issuance of PO below)
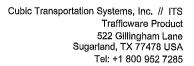
Explanation:

The Department of Public Works requests permission to waive obtaining quotes to purchase updated Synchro Plus Sim Traffic version 12 software from Cubic ITS Inc. (Previously known as Trafficware)

Cubic ITS Inc software consists of the following unique, exclusive, and/or proprietary characteristics, functions, and design elements as referenced in the sole source letter.

Quote # 10012864 Date 03/06/2024. Quote Total $9,291.00.

Funds to come from Acct # 100-104-1041-14140-48101.

Reviewed by: _Jerry Amacker_ DocuSigned by: 2039DCC9025F4A7... Date: 03/21/24 | 8:04 AM EDT   Reviewed by: _Steven D. Briglia_ DocuSigned by: CED5D98EB8404F1... Date: 03/21/24 | 7:31 PM
Purchasing Agent   Town Attorney

Reviewed and Approved by: _Marion Serfass_ DocuSigned by: D80B88B20E7D492... Date: 03/21/24 | 5:25 PM EDT
Finance Director

Reviewed and Approved by: _Mercury Payton_ DocuSigned by: 5BF6A83E2009459... Date: 03/23/24 | 11:54 AM EDT
Town Manager

CUBIC. | Transportation Systems

Cubic Transportation Systems, Inc. // ITS
Trafficware Product
522 Gillingham Lane
Sugarland, TX 77478 USA
Tel: +1 800 952 7285

RE: Sole Source Provider of Synchro / SimTraffic and Associated Training

To Whom It May Concern:

Thank you for your interest in Cubic ITS. This letter is to inform you that Cubic ITS software, Synchro and SimTraffic, is developed and marketed exclusively by Cubic ITS, Inc. In addition, all Cubic ITS copyrighted training materials and certified trainers are provided by Cubic ITS, Inc.

Cubic ITS software consists of the following unique, exclusive and/or proprietary characteristics, functions, and design elements:

- Synchro, for macroscopic modeling, software incorporates the Intersection Capacity Analysis (ICU) methodology for determining intersection capacity for single and/or multiple intersections (networks).
- Synchro software can provide both the ICU intersection capacity analysis and the HCM 2000/2010/6th Edition intersection capacity for expanded analysis.
- The ICU objective function is volume to capacity ratios, rather than delay.
- Synchro and SimTraffic provide both macroscopic and microscopic analysis in one package.

Should you have any questions, please contact Cubic ITS, Inc.

Sincerely,

Eric R. Jacques
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Distribution & International Sales
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