

**SOLE SOURCE JUSTIFICATION
FORM**



F-1 Purchasing and Contracting Policy
Attachment B
Revision Date: 2/25/2016
Page: 1 of 4

Solano County General Services, Purchasing Division

It is the policy of the County to competitively solicit the maximum number of bids for a commodity or service in order to uphold the best interests of the County and secure the best deal in the procurement process. There are certain acquisitions, however, that can only be obtained from a sole source due to the uniqueness of the commodity or service, prior knowledge of the County's business practices, or lack of other providers, etc. Sole source acquisitions must be justified in sufficient detail to explain the basis for suspending the usual competitive procurement process. Purchasing Services will attach the sole source justification to the procurement documents used to purchase a commodity.

For more information regarding sole source justification (exceptions, requirements, non-competitive negotiation, price/cost analysis, contract renewal, etc.) refer to Solano County's Purchasing & Contracting Policy, Chapter 1.1.11, 1.7.13, 1.3.2, and 1.8.4.

Notice: If the sole source justification request is denied for any reason the procurement will undergo the normal competitive bidding process as defined in the Purchasing Policies and Procedures, Chapter 1.1.8 and the Solano County Code 22-15 and 22-23.

Directions:

Complete the form below. Attach any other required or additional documentation to support your justification and be sure to have the department head or the appropriately designated person sign and date. (Refer to Chapter 1.1.0 of the Purchasing & Contracting Policies and Procedures or Section 22.11, 22.13-14 of the Purchasing Ordinance for the designation of authorized persons to sign such documents.) Submit to the Purchasing Department for approval.

Required Information:


Department: General Services Date Submitted: 11/15/2017

Department Contact: Steve Harder Phone: 707-784-3463

Vendor Name: Trane Commercial Systems & Services Vendor ID: TBD

Contract Type: XXX Commodity _____ Professional Service _____ Non-Professional Service _____

Amount of Contract: \$ Still under review; estimated at \$475,000.00


Preparer's Signature

Consultant/Project Manager
Title of Preparer

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F-1 Purchasing and Contracting Policy
Attachment B
Revision Date: 2/25/2016
Page: 2 of 4

Justification for Sole Source Procurement:

1. Does the proposed contractor have unique, critical capabilities for the job required? ☒ Y ☐ N ☐

n/a Explain these unique or critical capabilities and why no other contractor can fill them.

Trane was one of two manufacturers that could build a new custom size skid to fit within the footprint of the existing skid and within the maintenance yard enclosure without additional modifications and cost. The second manufacture produces equipment solely overseas and is unable to provide timely warranty response and quick delivery of replacement when needed to ensure equipment and system functionality.

2. Is the proposed contractor highly specialized to perform this particular job? ☒ Y ☐ N ☐

n/a Explain prior experience that supports this claim.

Trane specializes in manufacturing specialty equipment meeting customer design requirements and system specifications.

3. Does this contractor have specialized facilities, staffing, and/or equipment? ☒ Y ☐ N ☐

n/a Explain what these are and why they are vital to the required commodity or service.

Trane is the only manufacturer within the United States that could participate in a site visit to take measurements and validate site conditions to ensure a proper design of the system.

4. Does the proposed contractor have a substantial investment that would have to be duplicated at the County's expense by another contractor entering the field? ☐ Y ☒ N ☐ n/a

Explain what this investment is and how it will affect the County.

5. Is the need for a commodity or service time-sensitive? ☒ Y ☐ N ☐ n/a

Explain how the proposed contractor/vendor can meet these scheduling needs.

The existing mechanical units at the library are failing and there is potential for imminent failure at a cost of \$10,000.00 a month for the rental equipment.

6. Is competition precluded because of:

- the lack of drawings or specifications? ☐ Y ☒ N ☐ n/a
- existing patent rights or copyrights? ☐ Y ☒ N ☐ n/a
- existing equipment maintenance program or contracts? ☐ Y ☐ N ☒

n/a Provide details for positive responses:

The project requires a custom made unit to fit the footprint of maintenance enclosure/yard and concrete pad of the existing units that are failing, so the overseas manufacturer would have to do design drawings too. There are no patent or copyrights because 1) the existing equipment is 15 years old and 2) the existing manufacturer has gone out of business.

SH
Preparer's Initials

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F-1 Purchasing and Contracting Policy
Attachment B
Revision Date: 2/25/2016
Page: 3 of 4

7. Can competition be achieved if sufficient lead-time is given to obtain drawings and specifications?

☒ Y ☐ N ☐ n/a

If not, explain why drawings and specifications are lacking and how the proposed contractor can fulfill the need without them. If so, explain how much time is required to obtain drawings and specifications.

It could, but the competitor is overseas. If the existing units break, a rental unit will have to be procured and plumbed into the current system up at a cost of \$10,000.00 per month.

8. Does this acquisition require compatibility with any existing county equipment? ☒ Y ☐ N ☐ n/a

Explain why only one contractor can provide sufficient compatibility.

The new equipment skid is being custom fabricated to fit current location and integrate into the HVAC system.

9. What unique characteristics does the equipment or material offered by the proposed contractor /vendor possess that are required to meet the County's needs? ☒ Y ☐ N ☐ n/a

Trane is a manufactured in the United States and has teams available to address warrant work. Replacement parts can be sourced with minimum delay.

10. Were similar goods or services evaluated and determined to be inadequate? ☒ Y ☐ N ☐ n/a

What steps were taken to verify that this item is unique, absolutely necessary, and is the most financially responsible option for the County?

Yes due to lead times and inability to procure replacement parts and address warranty issues in a timely manner.

11. Were samples of goods from more than one vendor tested by the requesting department? ☐ Y ☒ N

☒ n/a

List each vendor whose products were tested and explain what was deficient or why the product does not meet the needs of the department.

12. Was competitive bidding first sought but proved to be inadequate for any reason and would not hold the County's best interests in mind? ☒ Y ☐ N ☐ n/a

Explain why the competitive bidding process was inadequate and why the County's best interests could not be maintained:

The sole competitor was unable to meet time replacement parts requisitions or support warranty issues.

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F-1 Purchasing and Contracting Policy
Attachment B
Revision Date: 2/25/2016
Page: 4 of 4

Additional justification or further explanation of answers above:

By the County purchasing the custom skid now, directly from Trane, it will save on the following:

- Overall project duration. Equipment skid could be in fabrication while the County bids the balance of the work. This way unit will be ready shortly after the contract is awarded.
- Rental costs for a temporary mechanical unit if the existing unit fails. This could save the county in excess of \$60,000.00
- The County could save on the Contractor's mark-up; estimated at 5% of the cost of the unit (\$475,000). Estimated savings on the mark-up is \$23,750.00.
- The County will be purchase a product that is made in the USA.

Review and Approval:

Approved: ☒ Yes ☐ No

Explanation of Approval or Denial: _____

Signature of Submitting Department Head

Purchasing Services Signature

Title

Date

Date

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