

MANATEE COUNTY GOVERNMENT

NOTICE OF INTENT TO AWARD A SOLE SOURCE CONTRACT

SUBJECT/TITLE	ECO Bionics Biogenerator / Digester Unit Rental and Services	DATE POSTED	MC _____
PROCUREMENT REPRESENTATIVE	Abby Jenkins	DATE CONTRACT SHALL BE AWARDED	September 27, 2021
DEPARTMENT	Utilities Department	CONSEQUENCES IF DEFERRED	Increase cost in maintenance and potential blockage of Stations
REQUISITION NO.	N004541	AUTHORIZED BY DATE	Jacob Erickson, Procurement Official

NOTICE OF INTENT TO AWARD A SOLE SOURCE CONTRACT

The Manatee County Procurement Division provides notice of its intent to award a sole source contract with a value of \$457,509.36 with Chemsearch FE for the provision of ECO Bionics Biogenerator / Digester Unit Rental and Services.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.

Manatee County Code of Laws

BACKGROUND/DISCUSSION

Manatee County Procurement Division has completed a due diligence review and intends to procure ECO Bionics Biogenerator / Digester Unit Rental and Services from Chemsearch FE without conducting a competitive solicitation process for the following reason(s).

Chemsearch FE has two US Patents for their Bio-generator Automated System and method for growing bacteria and holds the proprietary blend of bacteria strains used in their Free-Flow pellets that are used in the BIO-AMP generator units. Chemsearch FE is the sole proprietor of the patented FREE-FLOW pellets and incubation system. The patented BIO-AMP system which is used to incubate the Bacillus and Pseudomonas strains of bacteria used for Fats, Oils, and Grease (FOG) remediation within the lift stations and downstream collection system.

Any company that believes they can provide this good or service must provide, in writing, convincing technical data sufficient to support their position to the Manatee County Procurement Division at purchasing@mymanatee.org no later than September 27, 2021.



Financial Management Department
Procurement Division
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
Telephone number: (941) 749-3014

MEMORANDUM

To: Jacob Erickson, MBA, CPPO, NIGP-CPP, Procurement Official
From: Nick Wagner *NW*
Date: 9/16/2021
Subject: Sole Source Approval Request for ECO Bionics Biogenerator / Digester Unit Rental and Service
Supplier: Chemsearch
Requisition No: N004541

DEFINITION: Sole Source exists when only one supplier provides the item/service that meets the requirement (e.g., lack of competition or exclusive rights, proprietary technology, copyright or patent, or a supplier's unique capability) **NOTE:** for the construction materials, modification, alteration or repair of any County-owned facility, the Commission must first make written findings as required by Florida Statute, Section 255.04. Written approval from the county administrator is required for category 4 purchases.

Background (3-4 sentences) department must indicate the purpose of the item/service, the uniqueness of the item/service that precludes full and open competition and consequences. Include a brief overview of the specs or scope for the product(s) or service(s).

Chemsearch FE is a sales division of NCH Corporation and is the sole proprietor of the patented FREE-FLOW pellets and incubation system (see attached sole source letter). This is a portion of the patented BIO-AMP system which is used to incubate the Bacillus and Pseudomonas strains of bacteria used for Fats, Oils, and Grease (FOG) remediation within the lift stations and downstream collection system. The BIO-AMP is capable of dosing approximately 30 trillion of these bacteria live into the lift station waste stream every 24 hours, which is another proprietary component of the system.

Justification: (1-2 paragraphs) why the particular service/product is the only type that meets the County's requirements. Include evidence of proprietary rights, patents, supplier is the exclusive distributor or authorized repair/service center, has exclusive territorial rights or unique capabilities (as applicable); any other supporting documentation.

Chemsearch FE has two US Patents for their Bio Generator-Automated System and Method for Growing Bacteria, US# 7,081,361, and US# 8,093,040. Chemsearch holds a proprietary blend of the strains of bacteria used in their FREE-FLOW pellets which are used withing the BIO-AMP units. Part of what makes this product unique is that it uses the BIO-AMP units to incubate the bacteria so that it introduces the bacteria into the waste stream live, rather than in a sporous state from a powder or bacteria block form. With this process, the bacteria can immediately begin feeding on the FOG within the waste stream breaking it down into a less harmful form.

Market Research: (3-4 sentences) describe any market research that has been performed to support this request to validate that there is only one source that can provide the good or service, and an equal product or service is not available for any other source.

We began using this product in March of 2013 when NCH Corporation sponsored a year long study on a portion of the NW Bradenton collection system to demonstrate effectiveness of their product. During that time, they dosed their product at four lift stations which prior to treatment needed to be washed down at least twice per month. During the trial, only one station still required to be washed down and it was only three times during the entire trial. Over the course of the study, we saved over \$75,000 in costs between labor, equipment, and odor control chemical costs on just those four stations.

Pricing: (2-3 sentences) describe your efforts to obtain the best price/value.

This is a patented product, and we are unable to obtain pricing from another company.

☐ Approved - This sole source approval is valid for 12 months from date of approval. This Sole Source Approval must be attached/referenced for all requisitions for this item/service.

☐ Need Additional Information ☐ Not Approved

Comments: _____

By: _____

Jacob Erickson, MBA, CPPO, NIGP-CPP, Procurement Official Date



SUBSIDIARIES THROUGHOUT
NORTH AMERICA • SOUTH AMERICA • EUROPE • FAR EAST

Sept. 7, 2021

Jolynn schmitgen

Over the past 9 years, it has been Chemsearch FE's pleasure to join forces with Manatee County. We have met many challenges together and have overcome them via our team mentality, all while maintaining costs.

The continuation of our current pricing will remain valid for the next 1 year and is guaranteed through September 30, 2022.

As you know, Chemsearch FE is committed to the quality of its products and the quality of its relationship, and we look forward to working together with you in this new process as we continue our partnership for many more years to come.

NCH CORPORATION

Corporate Offices
2727 Chemsearch Boulevard
Irving, Texas 75062

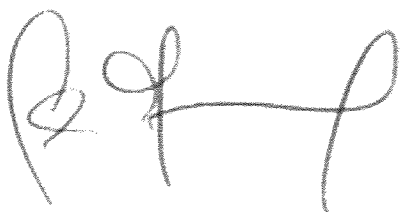
Date: 9/3/21

Dear Customer:

Subject: Sole Source of ECO Bionics BIO-Amp™ & FREE-FLOW®

NCH Corporation, of which ECO Bionics is one of several sales divisions, is the USA patent holder, manufacturer, distributor, and sole source for the ECO Bionics BioAmp™ - Automated System & Method for Growing Bacteria (US patents # 6,335,191; #7,081,36; #7,635,587; and #8,093,040) which encompasses the technology, equipment, chemical and biological components to facilitate the cultivating of bacteria on site for the reduction of effluent issues, such as drain maintenance, grease traps, industrial pre-treatment, industrial waste water, municipal waste water, etc. NCH Corporation is also the sole source of FREE-FLOW® (US patent #9,540,608) the biological drain line & grease trap maintainer, which is a tabletized formula containing a propriety blend of bacterial seed cultures and growth media. This system is the only source of a dry bacteria culture which increases shelf-life of the bacteria strains while maintaining a stable bacteria population. The ECO Bionics Biogenerator & FREE-FLOW® system is the only technique that generates a minimum of a 1,000 fold increase bacteria count for every 24 hours of operation over the initial culture charge.

Sincerely,

A handwritten signature in black ink, appearing to read 'CJ Greenwald', with a long horizontal flourish extending to the right.

Charles J. Greenwald, PhD
Director of Global Biotechnology
NCH Corporation