

# MANATEE COUNTY GOVERNMENT

## SOLE SOURCE INTENT TO AWARD

<b>SUBJECT</b>	Proprietary warranty coverage for Caterpillar equipment	<b>DATE POSTED</b>	MC <u>✓ SE 6/24/16</u>
<b>PURCHASING REPRESENTATIVE</b>	George Earnest CPPB, Buyer, X 3044	<b>DATE CONTRACT SHALL BE AWARDED</b>	Contingent upon the acceptance of Purchasing Official (5 days)
<b>DEPARTMENT</b>	Utilities, Landfill Division	<b>CONSEQUENCES IF DEFERRED</b>	Repairs will not be covered by warranty
<b>SOLICITATION</b>	SS #201600251 Task #162458 Valid 7/1/2016	<b>AUTHORIZED BY DATE</b>	George Earnest CPPB, Buyer June 24, 2016 <u>DE</u>

### NOTICE OF INTENT TO AWARD

Sole Source Request #201600251 notice of Intent to Award to Ring Power Corporation.

### 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, Sections 2-26-40 & 2-26-45

### BACKGROUND/DISCUSSION

► Manatee County Utilities, Landfill Operations maintains numerous Caterpillar heavy equipment. Warranties are necessary to provide repairs and preventative maintenance to these pieces of equipment.

► Ring Power Corporation is the only Caterpillar authorized servicer for the territory of central Florida, o include Manatee County

If a vendor believes this item is not a sole source procurement, Manatee County Purchasing Division requires prospective vendors provide information regarding their ability to supply the commodity or contractual services described prior to the date indicated for "date contract shall be awarded".

<b>ATTACHMENTS</b> (List in order of attached)	<ul style="list-style-type: none"> <li>Sole Source Procurement Request Form</li> </ul>	<b>FUNDING SOURCE</b> (Acct Number & Name)	X Funds Verified Acct #4800010900- 546001
<b>ESTIMATED ANNUAL COST PER SUPPLIER</b>	\$67,250.00 to \$83,000	<b>AMT/FREQ OF RECURRING COSTS</b> (Attach Fiscal Impact Statement)	N/A



## Sole Source/Noncompetitive Purchasing Request

Robert Benedict - RB

Department: Utilities Contact: Bryan White Ext: 8008

Purchase Request (PR)  
Number:

See Attached

Date: 6/20/2016

Description:

(Explain request in detail)

Caterpillar Brand Heavy Equipment Machines, Equipment, and Computer Assisted Earthmoving System (CAES) GPS Systems

Vendor:

Ring Power Corporation

Phone:

941-369-6000

Cost:

See Attached

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**PART I – SOLE SOURCE PURCHASING** (*Sole source purchasing* is defined as the acquisition of commodities or services where there is only one available source for the required commodity or service. Ex: proprietary software or equipment, copyright)

1. Are these commodities or services only available from one single source? ☐ Yes ☒ No
2. Explain why the commodity/service being requested is the only commodity/service that can meet your needs and why alternatives are unacceptable. Be specific regarding specifications, features, capability, compatibility, etc.
3. Why is this vendor the only source from which to make this purchase? Describe efforts made to verify this information. (Attach sole source letter from vendor as documentation)
4. Explain the consequence to the County or its taxpayers, including a dollar amount of the financial impact, if the sole source purchase is not approved.

**NOTE:** In any case where the County seeks to purchase from a sole source materials for the construction, modification, alteration or repair of any county-owned facility, the Board of County Commission must first make the written findings required by Florida Statutes, Section 255.04.

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**PART II – NONCOMPETITIVE PURCHASING** (*Noncompetitive purchasing* is defined as the acquisition of commodities or services from a unique source or provider based upon particular skills and expertise (Ex: standardization, warranty, compatibility) where other competitive sources may be available; or upon a determination that the likely, non-speculative cost of obtaining competitive quotes would exceed any potential savings and benefit to the County.)

1. *Explain why the commodity/service being requested is the only commodity/service that can meet your needs and why alternatives are unacceptable. Be specific regarding specifications, features, capability, compatibility, etc.*

The landfill has invested a substantial monetary amount over a long period of time in Caterpillar brand heavy equipment machines, including maintenance repairs, extended warranties and Computer Assisted Earthmoving System (CAES) GPS systems, and has purchased these products through Ring Power Corporation. Various types/models of Caterpillar brand heavy equipment are utilized to complete the rigorous daily activities involved in managing the County landfill. The complex CAES GPS System is crucial in maintaining FDEP regulated garbage compaction requirements and for landfill grade control management. Ring Power Corporation is the only authorized Caterpillar distributor for Caterpillar machines, engines, parts and service, including CAES, for North and Central Florida, which includes Manatee County (see attached vendor letter dated June 17, 2016).

2. *Explain the advantages of this noncompetitive purchase on the basis that only one practical source exists. Describe the efforts made to verify this information. (Attach manufacturers or distributorships letter as documentation)*

Ring Power is the only authorized sales and service company in this region of Florida who can sell and service Caterpillar brand heavy equipment machines and CAES GPS systems, as stated in the attached letter. Because of this fact, no other company within the area other than Ring Power can adequately provide the specific product/services addressed in this noncompetitive procurement request letter.

3. *Will this purchase obligate us to a particular vendor for future purchases, either in terms of maintenance or compatibility should the need arise to purchase a 'like' item in the future?*

This purchase will not commit the County to Ring Power in the future, however, since they are the only vendor in this part of Florida who is authorized to sell and service Caterpillar equipment and CAES GPS systems, they would likely be utilized in the future for this same type purchase.

4. *Describe your efforts to obtain the best price from the vendor and provide any documentation to substantiate your findings. Give the result of the initial offer versus the final offer.*

No efforts were made to obtain pricing from any other vendor since Ring Power is the only authorized Caterpillar distributor for Caterpillar CAES parts and service in north and central Florida, which includes Manatee County (see attached Caterpillar letter dated June 17, 2016).

5. *Would you prefer Purchasing to contact vendor for the best price?* ☐ Yes ☒ No

6. *Explain the consequence to the County or its taxpayers, including a dollar amount of the financial impact, if the noncompetitive purchase is not approved.*

Caterpillar heavy equipment and CAES GPS systems are critical in managing landfill operations, and in obtaining proper garbage compaction and accurate grade slopes in accordance with FDEP

regulations. Not utilizing genuine Caterpillar parts or letting warranties lapse could result in significant monetary consequence to the County. In addition, in the event that a CAES GPS system becomes inoperable on any piece of equipment that has it installed, that piece of heavy equipment would be "blinded" in its ability to be connected to the landfill GPS network, thereby negatively impacting the efficient operation of the landfill and resulting in inefficient garbage compaction and/or inaccurate grading. The County's capital investment in this specific equipment and CAES GPS system would be jeopardized if other, lesser quality or incompatible parts are used.

I hereby request that a sole source/noncompetitive request be approved for the purchase of the above statement of work, material, equipment, commodity, or service.

Bryan S. White Division Manager's Signature (up to \$25,000) Bryan S. White Print Name 6-20-16 Date

C. Mike Gore Department Director's Signature (Greater than \$25,000) C. Mike Gore Print Name 6/20/16 Date

**FOR PURCHASING DIVISION USE:**

           Sole Source: **Posting:** Categories Three and Four require an electronic posting for a minimum of five (5) business days. Category Five requires SCC approval and will be posted via board agenda for a minimum of seven (7) calendar days prior to board meeting.

✓ Noncompetitive: **Posting:** Category Three requires an electronic posting for a minimum of five (5) business days prior to award. Categories Four and Five require SCC approval and will be posted via board agenda for a minimum of seven (7) calendar days prior to board meeting.

Reviewed and Approved by: Darryl Ernest George Earnest 6-23-16  
Buyer Name / Date  
(up to \$100,000)

\_\_\_\_\_  
Contracts/Buyer Manager / Date  
(up to \$250,000)

\_\_\_\_\_  
Purchasing Official / Date  
(Greater than \$250,000)



**Caterpillar Inc.**

100 NE Adams Street  
Peoria, IL 61629

June 17, 2016

James Bokish  
Fiscal Specialist  
Manatee County

Sir:

Ring Power Corporation is the only authorized Caterpillar distributor for Caterpillar machines, engines, parts and service (CAES) for North & Central Florida; which includes Manatee County.

As an authorized Caterpillar distributor, Ring Power Corporation maintains an inventory of replacement parts and a staff of factory-trained technicians to provide support and services to users of Caterpillar products.

If you have any questions or concerns, please feel free to contact me.

Best Regards,

A handwritten signature in black ink, appearing to read "Christian Duarte".

Christian Duarte  
Industry Sales Representative  
Caterpillar Inc. - Atlanta District Office  
309-494-7357