

MANATEE COUNTY GOVERNMENT SOLE SOURCE INTENT TO AWARD

SUBJECT	Pulsar Plus chlorine briquettes	DATE POSTED	MC <u>✓ SE 10/7/15</u>
PURCHASING REPRESENTATIVE	George Earnest CPPB, Buyer, X 3044	DATE CONTRACT SHALL BE AWARDED	Contingent upon the acceptance of Purchasing Official (5 days)
DEPARTMENT	Natural Resources – Parks Division	CONSEQUENCES IF DEFERRED	Inability to purchase repair parts for transit busses
SOLICITATION	SS #201600004 Task #160097 Valid 10/14/2015	AUTHORIZED BY DATE	George Earnest CPPB, Buyer, October 6, 2015 <u>GE</u>

NOTICE OF INTENT TO AWARD

Sole Source Request #201600004 notice of Intent to Award to Commercial Energy Specialists, Inc. a Purchase Order for Pulsar Plus chlorine briquettes.

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 Natural Resources Department, Parks Division maintains a pool chlorinating system that uses Pulsar Plus chlorine briquettes manufactured by Arch Chemicals, Inc. No other chlorine product is acceptable to this chlorinating system.
- ▶ Commercial Energy Specialists, Inc. is the only distributor for Arch Chemicals and Pulsar Plus products in Florida.

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".

ATTACHMENTS (List in order of attached)	<ul style="list-style-type: none"> • Sole Source Procurement Request Form 	FUNDING SOURCE (Acct Number & Name)	Account 001- 0013200 -552000
ESTIMATED ANNUAL COST	\$63,000	AMT/FREQ OF RECURRING COSTS (Attach Fiscal Impact Statement)	N/A



Sole Source/Noncompetitive Purchasing Request

Department: Parks and Natural Resources-Aquatics Dept. Contact: Derek Marshall Ext: 6021

Purchase Request (PR) Number: _____ Date: _____

Description: (Explain request in detail) NonCompetitive Request for Pulsar Plus Chlorine Briquettes for Aquatics.

Vendor: Commercial Energy Systems Phone: _____ Cost: 62,448.00

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.

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.***

We use the PULSAR brand Chlorine chemical erosion/feeder system for Dive Well pool, located at G.T. Bray Aquatics Center. By manufacturer design and request we need to use the Pulsar Plus Chlorine Briquettes, which are only sold through a sole source by C.E.S. (Commercial Energy Systems) Should we use another brand of chlorine in our feeder system, we run the risk of it not working to factory standards, in which case, the equipment would malfunction causing down time to the public and possible rentals, with repair costs and additional chemical purchase costs to rebalance the water.

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)***

CES is the primary carrier of this product, other National Pool companies such as Lincoln Aquatics does carry the product, however they do not sell or ship the product to Florida, they refer you to CES.

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?***

Yes, CES is a sole source provider for all PULSAR related equipment and chemicals.

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.***

Only received one offer, as they are the only vendor in the State of Florida for this product.

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.***

We would have to look at a complete redesign of the chemical control and feeder systems, as another manufacturer/pool chemical supply company, would want their controls and feeder system in place to work with their product. This could cost up to an additional \$2,000-\$6,000 dollars depending on the vendor. Our facility invested \$28,000.00 in control/feeder system upgrades to the diving well in August 2014.

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.

_____ Division Manager's Signature (up to \$25,000)	_____ Print Name	_____ Date
<i>M. C. Nell For CH</i>	<i>Melissa Nell For CH</i>	<i>10/5/15</i>
_____ Department Director's Signature (Greater than \$25,000)	_____ Print Name	_____ 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 BCC 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 BCC approval and will be posted via board agenda for a minimum of seven (7) calendar days prior to board meeting.

Reviewed and Approved by: *George Earnest* *George Earnest* *10-6-15*
Buyer Name / Date
(up to \$100,000)

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

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



Arch Commercial Division
94 Danbury Road Unit 4
Ridgefield, CT 06877
203-894-8438 • Fax: 203-894-8439

September 1, 2014

Re: Pulsar® Chlorinating Systems and related briquettes

Dear Arch Customer:

Please be advised that **CES** is Arch Chemicals, Inc. (formerly Olin Corporation) sole source for Pulsar® Chlorinating Systems and related Pulsar chlorinating briquettes for the State of Florida, Puerto Rico and the Caribbean.

If you have any further questions regarding this matter please feel free to give me a call.

Sincerely,

James T. Amrod

James T. Amrod
Eastern Regional Sales Manager

CC: Jennifer Johnson