

# MANATEE COUNTY GOVERNMENT

## NOTICE OF INTENT TO NEGOTIATE FOR AWARD OF A SINGLE SOURCE CONTRACT

<b>SUBJECT</b>	Refurbish the existing EIMCO Carrousel Aerators	<b>DATE POSTED</b>	MC <u>4/12/18</u> <del>9A</del>
<b>PROCUREMENT REPRESENTATIVE</b>	Olga Valcich, 749-3055	<b>DATE CONTRACT SHALL BE AWARDED</b>	Five business days after posting
<b>DEPARTMENT</b>	Utility Department	<b>CONSEQUENCES IF DEFERRED</b>	Improper treatment of wastewater
<b>SOLICITATION</b>	Task 18-R068722OV	<b>AUTHORIZED BY DATE</b>	Theresa Webb, CPPO, CPPB, CPSM, C.P.M., Procurement Official <u>Theresa Webb</u> 4/12/2018

### NOTICE OF INTENT TO NEGOTIATE FOR AWARD

The Manatee County Procurement Division provides notice of its intent to award a single source contract with a value of \$178,973.00 with Ovivo USA, LLC for the provision of providing installation and equipment to refurbish the existing EIMCO Carrousel Aerators at the North Regional Wastewater Treatment Plant.

### 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 installation and equipment services from Ovivo USA, LLC without conducting a competitive solicitation process for the following reason(s).

1. Original equipment installed in 1993 by Ovivo.
2. Ovivo has direct replacement for all equipment without any modifications.
3. Ovivo USA, LLC is the Sole Source manufacturer and exclusive distributor of all EIMCO Water Technologies parts / equipment used in Ovivo wastewater and water treatment process facilities.
4. This equipment is also used at the Southeast Plant which allows the department to better maintain the equipment due to standardization / compatability.

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](mailto:purchasing@mymanatee.org) no later than 4/18/2018.

<b>ATTACHMENTS</b> (List in order of attached)	Single Source Document dated 4/5/2018	<b>FUNDING SOURCE</b> (Acct Number & Name)	4025152280534000/51522800004 <input checked="" type="checkbox"/> Funds Verified <input type="checkbox"/> Insufficient Funds
<b>PROJECTED COST</b>	\$178,973.00	<b>AMT/FREQ OF RECURRING COSTS</b> (Attach Fiscal Impact Statement)	N/A



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# MEMORANDUM



To: Theresa Webb, Procurement Official  
From: Jeff Goodwin, Wastewater Division Manager  
Date: 01/16/2018  
Subject: Sole Source Approval Request

**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, modification, alteration or repair of any County-owned facility, the Commission must first make written findings as required by Florida Statute, Section 255.04.

**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).

The Aerator system provides oxygen and mixing for the Carousel Aeration Basins as part of the treatment process. The Aerator and associated parts are original and are in extremely poor condition. Failure to replace current Aerator will result in having to take the Carousel Aeration Basin out of service, severely hindering the treatment process. Ovivo has a direct replacement for all the equipment without the need for any modifications. Switching to another manufacturer would require extensive engineering and modifications to the Carousel Aeration Basin.

**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.

Ovivo is the original designer, manufacturer, and sole source for this Aeration equipment. This equipment has a proven history of reliability and efficiency. This equipment is also in use at the Southeast Plant which allows us to better maintain the equipment due to standardization/compatibility.

**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.

Ovivo has a proven track record in the wastewater industry and we have used their equipment for many years. Switching to another manufacturer would turn this into a major CIP project and this is not cost effective.

\*\*\*\*\*  
☒ 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.

Financial Management Department, Procurement Division  
1112 Manatee Ave. West  
Phone number: (941) 749-3013

☐ Need Additional Information

☐ Not Approved

Comments: \_\_\_\_\_

By: Theresa Webb 4/5/2018  
Theresa Webb, CPPO, CPPB, CPSM, C.P.M., Procurement Official

Ovivo USA, LLC  
4246 Riverboat Road, Suite 300  
Salt Lake City, Utah  
84123  
USA

Telephone: 801.931.3000  
Facsimile: 801.931.3080  
[www.ovivowater.com](http://www.ovivowater.com)



April 6, 2018

Manatee County Utilities  
Attn: Steve Cruz  
North Regional WWTP

Re: EIMCO Water Technologies Equipment  
Sole Source

To whom it may concern:

Please be advised OVIVO USA, LLC is the "sole source" manufacturer and exclusive distributor of all EIMCO Water Technologies parts/equipment used in Ovivo (formerly EIMCO Water Technologies) Water and Wastewater treatment process facilities.

OVIVO USA, LLC's sole designated Sales Representative for your area is:

TSC-Jacobs  
Austin Moore  
11021 Countryway Blvd  
Tampa, FL 33626

Purchase orders are to be made out to: Ovivo USA, LLC and will be invoiced directly.

Respectfully,

*Karen Haddow*

Karen Haddow  
Product Manager – Rebuild Group  
Office Phone: (801) 931-3027  
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Email: [Karen.haddow@ovivowater.com](mailto:Karen.haddow@ovivowater.com)