

**CITY OF PUNTA GORDA
NOTICE OF INTENDED DECISION
TO ENTER INTO A SOLE/SINGLE SOURCE CONTRACT**

This notice of intended decision to enter into a sole/single source contract is posted. Failure to file a written protest with the City's Procurement Manager within 72 hours (Excluding Saturday, Sunday, and City Holidays) from the date and time of posting this notice of intended decision shall constitute a waiver of the Vendor's right to protest.

DEPT/DIV: Canal Maintenance REQUESTOR: Mark Gering

TITLE – (Short description of the commodity or service desired):
Purchase of Dee Concrete Seawall Slab Forming System

CONTACT

Name: Marian Pace
Telephone: 941-575-3348
Email: mpace@pgorda.us

PROCUREMENT PROJECT #: **S2016109**
DEPT PROJECT #/REQUISITION #: **TBD**

Date posted: September 21, 2017 **Time Posted: 12:00 pm**
Deadline for protest: September 26, 2017 at 12:00 pm

Commodity or Service Required (commodity class and group, manufacturer, model, and description, as appropriate):
Purchase of 90 seawall form systems to extend the City's current seawall fabrication program to address seawall failures resulting from Hurricane Irma.

Performance and/or Design Requirements (intended use, function or application, compatibility etc. requirements; reference to policy, statute or other laws, etc., as appropriate):
Forms to be purchased must be compatible and interchangeable with the City's current inventory of seawall forms.

Intended source (vendor/contractor): Dee Concrete Product

Price: \$50,000.00 estimated

Justification for single source acquisition (what is necessary and unique about the product, service or source; steps taken to confirm unavailability of competition, as appropriate)
The City has been using seawall forms manufactured by Dee Concrete Products since September, 1999. The forms purchased must be compatible and interchangeable with the current forms the City has in there inventory for the fabrication of seawall slabs and waterfront design standards. This purchase is also deemed to be an emergency due to the urgent need to mass product seawall slabs for installation at the most critical location that is at risk of damage to homeowner's homes and pools.

Award Approved By:

Procurement Manager _____ Date _____

City Manager _____ Date _____

SOLE/SINGLE SOURCE*/BRAND NAME JUSTIFICATION

(Requester completes Section A and B)

SECTION A: SINGLE/SOLE SOURCE OR BRAND NAME REQUEST

Complete if request purchase is \$1,000 and over, AND in the Requester's opinion competition is not available or requesting a Brand Name purchase. Sole Source approvals are valid one year from approval date, unless specified elsewhere.

Requisition No. (if applicable): _____ Amount: \$50,000 Date: 9/21/2017

Supplies/Services Required (be specific): Seawall Forms

Proposed Vendor: DEE CONCRETE Mfg/Model #: Series 700 Concrete Forms

Requested by: Mark Gering Dept: 908

Check One: The requested goods/service is a sole/single source or brand name procurement due to:

- AVAILABILITY/ONE OF A KIND** – No competitive product or service exists, meets or is available from another vendor and/or manufacturer. **If selected COMPLETE in detail item #1 and 2 below.**
- SINGLE SUPPLIER** – The vendor is the only authorized supplier/distributor of product or service.
- COMPATIBILITY**** – Must match existing piece or brand of equipment, inventory, systems, programs and is available from only one vendor/manufacturer.
Existing product manufacturer/model: _____
- REPAIR/MAINTENANCE**** – Repair or maintenance is required by a factory warranty service provider.
- PATENTED GOODS OR SERVICE**
- OTHER** - Provide below full explanations, details, complete descriptions, and relevant reasons to support the sole/single source/brand name justification:

1) What necessary features or services does this vendor provide which are not available from other vendors? Please be specific.

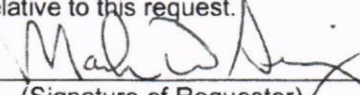
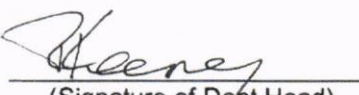
For many years, the City has used forms produced by this company. It is critical that form parts be interchangeable to avoid confusion in the pour yard and to ensure that panels properly fit together.

NOTE: Established relationship with the vendor is not a justifiable reason for sole source request.

2) What steps were taken to verify the required features or services are not available elsewhere?

- Other brands/manufacturers were researched (list mfg name and explain why they were not suitable)
All other companies found offer custom design for job specific applications.
- Other vendors were contacted (list vendor name and why they were not suitable)

SECTION B - REQUESTER CERTIFICATION: By submitting this request, I certify that the above justification/information is accurate and complete to the best of my knowledge and that I have no personal interests relative to this request.

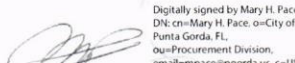


9/21/2017
 (Signature of Requester) (Signature of Dept Head) (Date)

SECTION C - TO BE COMPLETED BY PURCHASING AGENT:

Based on the information provided in Section A, attached supporting documents, and research:

- Sole Source has been validated / Sole Source in not valid based on the Purchasing Agent's research


Detail Research Conducted - All previous purchases over the 1 quote threshold were initially solicited with 1 sole bidder, Dee Concrete.


Digitally signed by Mary H. Pace
DN: cn=Mary H. Pace, o=City of
Punta Gorda, FL,
ou=Procurement Division,
email=mpace@ppgorda.us, c=US
 (Name and Signature of Purchasing Agent or Other) (Date)

* SOLE SOURCE DEFINITION – Only one vendor/mfg possesses the unique and singularly available capability to meet the requirement of the Department. SINGLE SOURCE DEFINITION – Only one source available to purchase goods/services.
 ** Procurement of items designating a brand or manufacturer shall be competitively solicited if more than one vendor of the item is found.

Florida State statute 838.22

It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole-source contract for commodities or services. Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

APPROVAL TO RELEASE NOTICE OF INTENDED DECISION:  DATE: 9/24/2017