



DATE: August 17, 2018

TO: Brenda J. Billingsley, Director, Purchasing Division

THRU: Alan W. Garcia, P.E., Director, Water and Wastewater Services

FROM: Jonathan K. Allen, Director, Business Operations Division

PROJECT TITLE: DeZurik/APCO Valves and Parts

REQUISITION NO. TBD

SOLE SOURCE/SOLE BRAND REQUEST

I. REQUEST: Provide a description of the features of the product/service or Scope of Work.

Water and Wastewater Services (WWS), Business Operations Division requests approval of sole brand procurement of DeZurik/APCO (DeZurik) Valves and Parts from the sole source provider Fluid Controls Specialties Inc. (FCSI) in the estimated annual amount of \$200,000.

WWS has over 300 DeZurik valves installed in various operating areas including the sludge thickening process, the digester process and the aeration process of the treatment plants. Each DeZurik valve is specifically designed to perform, interface, and fit a specific process. Additionally, each valve is installed with an electric actuator that communicates directly with the Supervisory Control and Data Acquisition (SCADA) system allowing for remote access to monitor and operate the valves. These valves are critical in ensuring that Broward County is compliant with the State issued wastewater disposal permit.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

Only Sole Source/ Uniqueness

- Proprietary Item - this vendor/source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."
- Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.
- Other/or Additional information - the County requires this sole source, sole brand purchase for the following reasons:

Business Operations Division is requesting sole source because DeZurik is the original equipment manufacturer and FCSI is the sole manufacturer's distributor for the State of Florida. Provided for review and reference is an authorization letter from DeZurik stating that FCSI is their authorized manufacturer's distributor in the State of Florida.

Business Case (One/Most Reasonable Source or One/Most Reasonable Brand)

- Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- Complies with existing community and safety standards, and/or laws, rules, and regulations.
- Exempted from the Procurement Code - per Section 21.18 of Broward County Administrative Code.
- Other/or additional information - using this sole source, sole brand purchase benefits the County for the following reasons:

WWS is requesting sole brand because WWS requires direct replacement of DeZurik valves when making repairs or replacing existing valves. A direct replacement is needed because all associated pipe configurations, electric actuators, fixtures, and inlets/outlets were designed around each valve and are not interchangeable with other brands under current valve configurations.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: \$200,000 annually Contract length (if applicable): 3 years

Expenses to date: \$153,500

Has this commodity or service been previously provided to the County? Yes No

If yes, when and by whom? Fluid Controls Specialties Inc.

How was item/service procured? Sole brand and sole source

What is the current contract (MA) or purchase order number? Y2115183Q1_1

If this is a sole brand, is there an "authorized" dealers list? Yes No

Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source. Attach additional sheets if needed.

DeZurik valves and parts are patented and are not interchangeable with any other brands. Other manufacturer valves are not configured the same as the DeZurik valves installed. To consider another brand of valves for the sole purpose of being competitive, WWS would have to replace electric actuators, re-engineer the design, re-configure the piping and connections in order to accommodate a different type of valve. The amount of time and cost of installing a different brand would far outweigh the cost of replacing with the original equipment, as well as potentially creating another sole source situation as this type of equipment is proprietary. These valves are critical in ensuring that Broward County is compliant with the State issued wastewater disposal permit.

Contract Y2115183Q1 was awarded as sole source and sole brand after due diligence was performed by way of a Request for Information (RFI). RFI No. Y2115183F1 was advertised for seven (7) days starting August 15, 2017. One response was received. The vendor was rejected because they were not authorized

source to provide DeZurik valves and parts to Broward County.

CERTIFICATION: I have thoroughly researched the sole source or sole brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "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."

(5) "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"

Gary Hew	Gary Hew	Digitally signed by Gary Hew Date: 2018.08.17 09:17:29 -04'00'	August 17, 2018
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)	DATE	
Jonathan K. Allen		8/17/18	
DEPT/DIV DIRECTOR OR DESIGNEE (PRINT)	DEPT/DIV DIRECTOR OR DESIGNEE (SIGN)	DATE	

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.34 and 21.35. The Purchasing Agent recommends the following:

Sole Source
 Sole Brand
 Reasonable Source
 RFI attached
 Rejected
 Request Authorization to Negotiate

Additional Information:

A Request for Information (RFI) was posted from September 5, 2018 thru September 11, 2018 with no responses received.

Estimated annual value is \$200,000.

Purchasing Agent Signature: AMY ALMANZAR Digitally signed by AMY ALMANZAR
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU, ou=Users,
cn=AMY ALMANZAR
Date: 2018.09.12 10:44:51 -04'00' Date: 9/12/18

Purchasing Manager Review: CHRISTINE CALHOUN Digitally signed by CHRISTINE CALHOUN
DN: dc=cty, dc=broward, dc=bc, ou=Organization, ou=BCC,
ou=PU, ou=Users, cn=CHRISTINE CALHOUN
Date: 2018.09.13 08:23:52 -04'00'

APPROVAL AUTHORITY
REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: **BRENDA BILLINGSLEY** Digitally signed by BRENDA BILLINGSLEY
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU,
ou=Users, cn=BRENDA BILLINGSLEY
Date: 2018.09.27 12:03:37 -04'00' Date:



250 Riverside Ave N 320-259-2000 p
Sartell, MN 56377 USA 320-259-2227 f

2018 Sole Source Representative

January 1, 2018

To: All Customers

Re: Authorized Agent

Fluid Control Specialties, Inc. is the sole authorized manufacturer's representative of all DeZURIK, Inc. products, including DeZURIK, APCO, Hilton, and Willamette products, OEM repair parts and maintenance for the Water and Wastewater Industries in the state of Florida, except for the pan handle counties of Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

If you have any questions feel free to contact me.

Best Regards,

A handwritten signature in blue ink that reads 'Michael DeAustin'. To the right of the signature, the date '1/1/2018' is written in blue ink.

Michael DeAustin
Project Sales Specialist

Solicitation OPN2117564F1

Request for Information: DeZURIK/APCO Valves and Parts

Bid Designation: Public



Broward County Board of County Commissioners

Bid OPN2117564F1 Request for Information: DeZURIK/APCO Valves and Parts

Bid Number OPN2117564F1
Bid Title Request for Information: DeZURIK/APCO Valves and Parts

Bid Start Date Sep 5, 2018 10:31:46 AM EDT
Bid End Date Sep 11, 2018 5:00:00 PM EDT
Question &
Answer End Date Sep 10, 2018 5:00:00 PM EDT

Bid Contact Amy Almanzar
Purchasing
aalmanzar@broward.org

Contract Duration **Not Applicable**
Contract Renewal Not Applicable
Prices Good for **Not Applicable**

Bid Comments **This Request for Information (RFI) is intended to ascertain whether the commodity or service specified below is currently available from multiple providers. This is not a request for pricing or a commitment to purchase.**

The following products are thought to be available from only a single source. This RFI will remain posted until the due at the date and time indicated. Vendors should submit response electronically through BidSync. Vendor should upload any supporting information in BidSync to assist in determining if product or service is comparable.

Commodities Required
DeZURIK/APCO Valves and Parts

Quantity or Term
Open-end Contract

Using Agency Requester
Broward County Water and Wastewater Services (WWS)
Metason Phillip

Known Reasonable Source/Brand
DeZURIK/APCO brand valves and parts from sole authorized manufacturer's representative, Fluid Control Specialties, Inc.

Justification for Reasonable Source/Brand Acquisition
WWS has over 300 DeZURIK/APCO brand valves installed in various operating areas including the sludge thickening process, the digester process and the aeration process of the treatment plants. Each DeZurik valve is specifically designed to perform, interface, and fit a specific process. Additionally, each valve is installed with an electric actuator that communicates directly with the Supervisory Control and Data Acquisition (SCADA) system allowing for remote access to monitor and operate the valves. These valves are critical in ensuring that Broward County is compliant with the State issued wastewater disposal permit.

WWS believes current DeZURIK/APCO valves require a direct replacement and are not interchangeable with other brands because all associated pipe configurations, electric actuators, fixtures, and inlets/outlets were designed around each valve.

It is also believed that DeZURIK/APCO valves and parts are only available from the sole authorized manufacturer's representative, Fluid Control Specialties, Inc.

If you can bid on this product or equal, respond to this Request for Information through BidSync. Broward County will be the sole determinate of what is comparable.

Prospective Vendors are requested to provide information regarding their ability to supply the commodities or contractual services described. All Vendor responses will be evaluated by the Using Agency which will be the sole determinate power in establishing the approved equal status of the commodity or service offered by the vendor. If it is determined in writing by the agency, after reviewing any information received from prospective Vendors, that the commodities or contractual services are available only from a sole source, a Request for Quotation will be issued to the sole source Vendor for processing and approval by the appropriate award authority.

Provide product literature for any product to assist in determining if product is comparable.

Item Response Form

Item **OPN2117564F1--01-01 - Dezurik/APCO Valves and Parts**

Quantity **1 contract**

Prices are not requested for this item.

Delivery Location **Broward County Board of County Commissioners**

E0068

WATER AND WASTEWATER SERVICES

DIST. #4 (954) 831-3081

2401 N POWERLINE ROAD

POMPANO BEACH FL 33069

Qty 1

Description

Dezurik/APCO Valves and Parts

**Question and Answers for Bid #OPN2117564F1 - Request for Information:
DeZURIK/APCO Valves and Parts**

Overall Bid Questions

There are no questions associated with this bid.

Bid #OPN2117564F1 - Request for Information: DeZURIK/APCO Valves and Parts

Creation Date **Aug 31, 2018**

End Date **Sep 11, 2018 5:00:00 PM EDT**

Start Date **Sep 5, 2018 10:31:46 AM EDT**

Awarded Date **Not Yet Awarded**

OPN2117564F1--01-01 Dezurik/APCO Valves and Parts					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code:			Supplier Notes:		
Agency Notes:					

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