



TOWN OF TAOS SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Procurement Officer. The foregoing is a requirement under NMSA 13-1-126 – 13-1-126.1 as amended by Laws 2013, ch. 40 § 6 effective June 14, 2013.

I. Name of Entity: TOWN OF TAOS

Procurement Agent Sharon Voigt
svoigt@taosgov.com

Telephone Number: 575-751-2025

II. Name of prospective Contractor: JWC Environmental

Address of prospective Contractor: 4485 Commerce Dr. Suite 109
Buford, GA 30518

Amount of prospective contract: ~~\$24,000~~ \$60,000 annually

Term of prospective contract: ~~2~~ 4 years

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

Labor and replacement parts for JWC Environmental equipment which includes the following:

1. JWC Bandscreen
2. JWC Muffin Monster Grinder and Washer auger
3. JWC Honey Monster (Septic Receiving Station)

IV. Provide an explanation of: the criteria developed and specified by the department.

The JWC Environmental equipment is an integral part of the treatment process and is the - sole piece of equipment being used in the headworks. The grinder portion of the - equipment allows the - system to work automatically - protecting the band screens from large inorganic materials. The Bandscreen units are imperative to protect the membranes from debris and potential contamination. It is critical that debris capable of damaging the membranes (example: anything over 1.6 mm (1/16in) in size) be prevented from entering the membrane system. Damage caused by debris is not covered by the membrane

warranty.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

JWC Environmental is the inventor and owner of the Muffin Monster, Channel Monster, Auger Monster, Screenings Washer Monster, Honey Monster and Monster Separation System. They hold numerous patents and trademarks on these products.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

JWC Environmental is the sole manufacturer of these products and exclusive source for service parts for this equipment.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property ***cannot*** meet the intended purpose of the contract.

JWC Environmental is the sole manufacturer of these products and exclusive source for service parts that are under trademark protection. As the manufacturer, JWC Environmental is the only company that is able to perform the work per specifications which would void any manufacture defect protection.

- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent’s vendor list. Include a list of businesses contacted (***do not state that no other businesses were contacted***), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

- a. Pioneer Equipment is able to purchase the parts for JWC Environmental equipment from JWC Environmental – however, they are not set up to do repair work on the equipment.
- b. MISCO Water is not equipped to do repairs on JWC Equipment
- c. James, Cook & Hobson is not equipped or familiar to work on JWC Environmental equipment.

Certified by:

Department Approval by:

Date: 7.5.10



Department Head

If this sole source relates to a procurement of general services:

- 1) Signature of the Town Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges.
- 2) Sole source is granted as of the date of signature by the Procurement Officer.
- 3) Signature of the Procurement Officer on this form is the final signature required for this sole source procurement.

If this sole source relates to a procurement of professional services:

- 1) Signature of the Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenge(s).
- 2) Signature of the Procurement Officer (below) is required; and
- 3) Sole source is granted as of the date of signature by the Procurement Officer.

APPROVED:

Date: _____

Town of Taos Procurement Officer

Town Purchasing Agent

Challenges
