



DATE: August 13, 2020

TO: Brenda J. Billingsley, Director, Purchasing Division

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

ALAN GARCIA Digitally signed by ALAN GARCIA
Date: 2020.08.18 10:28:57 -0400

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

JONATHAN K. ALLEN Digitally signed by JONATHAN K. ALLEN
Date: 2020.08.17 11:26:26 -0400

PROJECT TITLE: Nash Brand Compressors, Pumps, Parts and Repair Services

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 is requesting approval of sole brand procurement of Gardner Denver Nash (Nash) Brand Pumps, Parts and Repair Services through sole source provider Gardner Denver Nash LLC c/o Hudson Pump.

WWS plans to submit a requisition package for a comprehensive Nash brand contract that will include both Nash brand Pumps, Compressors, Repair Parts and Repair Service in the estimated annual amount of \$200,000. Nash brand Compressors, Parts & Services was previously standardized by Broward County Purchasing Director as Sole Brand, Sole Source on 2/21/2003, and re-affirmed by Broward County Board of County Commissioners on 11/7/2017, Item 30. This sole source and sole brand request is for Nash Brand Pumps, Repair Parts and Repair Services only.

WWS currently has 13 Nash Brand compressors and pumps in operations throughout the County. Nash pumps are utilized in the water treatment facilities in combination with the vacuum filter to dewater sludge to be sent to the landfill. Nash compressors are used in the wastewater treatment process to reduce volatility in the digesters by providing the agitation needed to keep solids in suspension and to supply oxygen support to the bacteria reducing solids.

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:

WWS is requesting sole source approval because Nash is the original equipment manufacturer (OEM) and distributor for Nash pumps, packages, parts repairs and field service. Provided for your review and reference is an authorization letter from Nash stating that Hudson Pump is their authorized sales and repairs

representative for Nash pumps in the State of Florida for Broward County.

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 approval because WWS requires direct replacement of Nash pumps when making repairs or replacing existing pump systems. A direct replacement is needed because all associated pump frames, piping configurations, footprints, motors, fixtures, and inlets/outlets were designed around each pump and are not interchangeable with other brands under current piping configurations. It is critical that WWS have spare pumps available in order for the County to maintain the water treatment process in the event that one of these pumps fails. These pumps operate 24 hours and 365 days. These pumps are utilized in water treatment plants and must be fully operational at all time to ensure local and state compliance with regulations and to avoid any environmental impacts.

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 Contract length (if applicable): 3 years

Expenses to date: \$166,232.94

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

If yes, when and by whom? Gardner Denver Nash LLC

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

What is the current contract (MA) or purchase order number? OPN2116897Q1

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.

Nash is the sole manufacturer and distributor for Nash Pumps. Nash pumps are not interchangeable with any other manufacturer brands. To consider any other brand for the sole purpose of being competitive, WWS would be required to re-engineer and retrofit existing systems. The amount of time and cost of installing a different brand would far outweigh the cost of replacing with original equipment, as well as potentially creating another sole brand/sole source situation as this type of equipment is proprietary.

OPN2116897Q1 was awarded as a sole brand and sole source after due diligence was performed by way of a Request for Information (RFI). RFI# OPN2116897F1 was advertised for seven (7) days starting May 1, 2018 with no responses received.

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, Warehouse Supervisor	Gary Hew	Digitally signed by Gary Hew Date: 2020.08.13 14:14:29 -04'00'	August 13, 2020
REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)		DATE
Alan W. Garcia, P.E., Director	ALAN GARCIA	Digitally signed by ALAN GARCIA Date: 2020.08.18 10:29:17 -04'00'	8/18/20
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 October 1, 2020 thru October 7, 2020 with no responses received.

The purchase of Nash brand compressors, parts, and repair services is Standardized; however, the Standardization does not specifically indicate pumps. This contract consolidates the purchases of standardized compressors and non-standardized pumps with corresponding parts and repair services.

Estimated annual amount: \$200,000

Purchasing Agent Signature:	AMY ALMANZAR	Digitally signed by AMY ALMANZAR Date: 2020.10.08 10:45:11 -04'00'	Date:
Purchasing Manager Signature:	CHRISTINE CALHOUN	Digitally signed by CHRISTINE CALHOUN Date: 2020.10.21 17:36:14 -04'00'	

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature:	BRENDA BILLINGSLEY	Digitally signed by BRENDA BILLINGSLEY Date: 2020.11.16 10:20:54 -05'00'	Date:
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June 26, 2020

Broward County Water & Wastewater Services
115 S. Andrews Avenue, Room 212
Fort Lauderdale, FL 33301-1801

Attn: John Wilf - Contracts/Grants Administrator

Subject: Gardner Denver Nash Sales Representative Coverage - Florida

Dear John,

Please be advised that Gardner Denver Nash utilizes representatives to facilitate the sale of our products throughout North America. For the areas outlined below, the authorized Gardner Denver Nash sales representative for pumps, packages, parts, repairs and field service is:

Hudson Pump - A Division of Tencarva Machinery Company
3524 Craftsman Boulevard
Lakeland, FL 33803
Contact: Chuck McCaughey
Office: (863) 665-7867
Fax: (863) 666-5649
Cell: (863) 581-4218

Areas covered by this representative are:

Florida, including only the counties of: Alachua, Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Saint Johns, Saint Lucie, Sarasota, Seminole, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla

We know our representative will take great care of your needs and we appreciate your interest in Gardner Denver Nash equipment and services.

Best Regards,
Gardner Denver Nash LLC

A handwritten signature in black ink, appearing to read "Thomas R. Dardis", is written over a light grey rectangular background.

Thomas R. Dardis
Regional Sales Manager – East

cc: Chuck McCaughey – Hudson Pump & Equipment

Solicitation OPN2121790F1

Request for Information: Nash Brand Compressors, Pumps, Parts, Repair Services

Bid Designation: Public



Broward County Board of County Commissioners

Bid OPN2121790F1

Request for Information: Nash Brand Compressors, Pumps, Parts, Repair Services

Bid Number	OPN2121790F1
Bid Title	Request for Information: Nash Brand Compressors, Pumps, Parts, Repair Services
Bid Start Date	Oct 1, 2020 2:13:59 PM EDT
Bid End Date	Oct 7, 2020 2:00:00 PM EDT
Question & Answer End Date	Oct 6, 2020 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	<p>This Request for Information (RFI) is intended to ascertain whether the commodity and service specified below is currently available from multiple providers. This is not a request for pricing or a commitment to purchase.</p> <p>The following products and service 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.</p> <p>Commodities and Services Required Nash Brand Compressors, Pumps, Parts, and Repair Services</p> <p>Quantity or Term Open-end Contract</p> <p>Using Agency Requester Broward County Water and Wastewater Services Gary Hew</p> <p>Known Reasonable Source/Brand Nash Brand Compressors, Pumps, Parts, and Repair Services from manufacturer authorized area representative Hudson Pump – A Division of Tencarva Machinery Company</p> <p>Justification for Reasonable Source/Brand Acquisition Water and Wastewater Services (WWS) currently has 13 Nash Brand compressors and pumps in operations throughout the County. Nash pumps are utilized in the water treatment facilities in combination with the vacuum filter to dewater sludge to be sent to the landfill. Nash compressors are used in the wastewater treatment process to reduce volatility in the digesters by providing the agitation needed to keep solids in suspension and to supply oxygen support to the bacteria reducing solids.</p> <p>WWS requires direct replacement of Nash pumps when making repairs or replacing existing pump systems. It is believed all associated pump frames, piping configurations, footprints, motors, fixtures, and inlets/outlets were designed around each pump and are not interchangeable with other brands under current piping configurations. It is also believed that all Nash Brand compressors, pumps, parts, and repair services are only available from the manufacturer authorized area representative Hudson Pump – A Division of Tencarva Machinery Company.</p>

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 **OPN2121790F1--01-01 - Nash Brand Compressors, Pumps, Parts, and Repair Services**

Quantity **1 contract**

Prices are not requested for this item.

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

EVO055

WATER AND WASTEWATER SERVICES

WAREHOUSE (954) 831-0813

2555 W COPANS ROAD

POMPANO BEACH FL 33069

Qty 1

Description

Nash Brand Compressors, Pumps, Parts, and Repair Services

**Question and Answers for Bid #OPN2121790F1 - Request for Information: Nash Brand
Compressors, Pumps, Parts, Repair Services**

Overall Bid Questions

There are no questions associated with this bid.

Bid #OPN2121790F1 - Request for Information: Nash Brand Compressors, Pumps, Parts, Repair Services

Creation Date **Sep 29, 2020**

End Date **Oct 7, 2020 2:00:00 PM EDT**

Start Date **Oct 1, 2020 2:13:59 PM EDT**

Awarded Date **Not Yet Awarded**

OPN2121790F1-01-01 Nash Brand Compressors, Pumps, Parts, and Repair Services					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code:		Supplier Notes:			
Agency Notes:					

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