



DATE: 7/22/22

TO: Robert Gleason, Director of Purchasing

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

FROM: Mark Darmanin, Director, Water & Wastewater Operations Division

PROJECT TITLE: Vogelsang Pumps, Grinders and Replacement 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 Operations Division (WWOD) requests sole brand approval to purchase Vogelsang Pumps and Replacement Parts from the sole source distributor, PSI Technologies Inc. WWOD has a total of five (5) Vogelsang Pumps and three (3) Vogelsang Grinders on-line at North Regional Wastewater Treatment Plant in Pompano Beach. An open-end contract is needed to cover the maintenance and repair of the Vogelsang pumps and grinders, estimated at \$266,000 annually.

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 – the County requires this sole source, sole brand purchase for the following reasons:

WWOD requests approval to procure Vogelsang Pumps and Replacement Parts from the sole source supplier PSI Technologies Inc. Vogelsang pumps, grinders and parts are patented and owned by Vogelsang; and the design drawings are proprietary. PSI Technologies, Inc. is the exclusive distributor for municipal sales in Broward County, FL. Attached for review is a letter from Vogelsang.

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 21.5 of Broward County Administrative Code.
- ☒ Other/or additional information – using this sole source, sole brand purchase benefits the County for the following reasons:

WWOD acquired a total of five (5) Vogelsang Pumps with the new Fats, Oils and Grease (FOG) Receiving Facility located at the North Regional Wastewater Treatment Plant. The FOG system is a dedicated site for the proper disposal of fats, oils and grease, a common by-product of restaurants that clog and damage sewer pipes. The FOG system works together with the new Cogeneration System to produce power from biogas, so that it can be consumed internally within the plant and offset power purchased from Florida Power & Light.

Also, there are three (3) Vogelsang grinders on-line at the NRWTP's thickener building. These grinders are critical to the operations of the NRWTP as their primary function is to reduce the particle size of solid matter, including rags, wipes, plastics, etc. which enables further wastewater processing by minimizing problems to equipment and treatment. The Vogelsang grinders protect downstream system components from damage, prevent blockages and clogging of pumps, fittings and pipe streams.

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: \$266,000 Contract length (if applicable): 1 Year, 2-1 Yr Renewals

Expenses to date: 282,808.16

Has this commodity been previously provided to the County? ☒ Yes ☐ No

If yes, when and by whom? December 3, 2019 by Board of County Commissioners (Agenda Item 38/19-1231)

PSI Technologies Inc

How was item/service procured? Sole Brand, Sole Source

What is the current contract (MA) or purchase order number? OPN2119923Q1

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.

On June 26, 2012, the Board of County Commissioners approved the 'Biogas to Cogeneration Energy Project' (Item 57) which provided for the construction of both the FOG and Cogeneration System. The overall cost of the project for design and construction was \$18 million. The waste-energy system is anticipated to reduce the NRWTP's annual energy consumption by 12,000,000 kWh and its carbon emissions by over 8,000 metric tons a year and expected to generate guaranteed savings of nearly \$27 million over the next 20 years. Replacement pumps and parts from alternate supplies are not interchangeable with original parts and may cause equipment incompatibility. The cost to design, reconfigure and test an alternate product would far outweigh the cost to procure OEM replacement parts.

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, r s. 775.084"

Mark Grealy

REQUESTOR/EVALUATOR
(PRINT)


REQUESTOR/EVALUATOR (SIGN)

8/22/22

DATE

Mark Darmanin

DEPT./DIV. DIRECTOR OR
DESIGNEE (PRINT)

MARK M.
DARMANIN

DEPT./DIV. DIRECTOR OR
DESIGNEE (SIGN)

Digitally signed by MARK M.
DARMANIN
Date: 2022.08.22 14:37:24 -04'00'

Alan Garcia

Digitally signed by Alan Garcia
Date: 2022.08.23 08:55:57
-04'00'

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.25 and 21.26. The Purchasing Agent recommends the following:

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

Additional Information:

Request for Information IND2125357F1 was advertised from September 14, 2022 to September 21, 2022. No responses were received.

Per the attached correspondence dated July 26, 2022 from the Manufacturer, Vogelsang, they have confirmed that PSI Technologies Inc is the sole municipal distributor in Florida for Vogelsang brand products, parts and field service. The recommended sole source, sole brand designation will be submitted for Board approval. Upon approval of sole source, sole brand designation, the County will seek an initial one-year contract estimated at \$266K with two one-year options to renewal for a total potential contract value of \$798K.

Purchasing Agent Signature: Nancy Olesen

Digitally signed by Nancy
Olesen
Date: 2022.12.27
10:54:04 -05'00'

Date:

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: Christine Calhoun
for Robert E.
Gleason

Digitally signed by Christine
Calhoun for Robert E. Gleason
Date: 2022.12.27 10:54:50
-05'00'

Date:

Director of Purchasing

www.vogelsangusa.com

Mailing Address:
P.O. Box 751
Ravenna, Ohio 44266-0751

Shipping Address:
7966 State Route 44
Ravenna, Ohio 44266

Tel: 800.984.9400
Fax: 330.296.4113
Email: sales@vogelsangusa.com

VOGELSANG



7/26/2022

Broward County - Water & Wastewater Operations Division

ENGINEERED TO WORK

Re: Vogelsang Distribution Sole Source Confirmation

Dear Customer,

Please accept this correspondence as confirmation that PSI Technologies is the exclusive, municipal distributor for Vogelsang products, parts, and field service in the state of FL.

No other representative can sell products, repair/replacement parts, maintenance, field services and/or technical support for Vogelsang USA.

PSI Technologies
3520 Investment Lane #3
Riviera Beach, FL 33404
305-998-1371

Should you require additional confirmation, please don't hesitate to contact me directly.

Respectfully,

Russ Boring
President
Vogelsang
7966 State Route 44
Ravenna, OH 44266

Toll-Free: 800.984.9400
Phone: 330.510.1551
Fax: 330.296.4113
RussB@vogelsangusa.com
www.vogelsangusa.com

Solicitation IND2125357F1

Request for Information: Vogelsang Pumps, Grinders, Parts, Commisioning

Bid Designation: Public



Broward County Board of County Commissioners

Bid IND2125357F1

Request for Information: Vogelsang Pumps, Grinders, Parts, Commisioning

Bid Number **IND2125357F1**

Bid Title **Request for Information: Vogelsang Pumps, Grinders, Parts, Commisioning**

Bid Start Date **Sep 14, 2022 1:44:18 PM EDT**

Bid End Date **Sep 21, 2022 2:00:00 PM EDT**

Question & Answer End Date **Sep 19, 2022 5:00:00 PM EDT**

Bid Contact **Amy Almanzar**
Purchasing
aalmanzar@broward.org

Bid Contact **Nancy Olesen**
Purchasing
nolesen@broward.org

Contract Duration **Not Applicable**

Contract Renewal **Not Applicable**

Prices Good for **Not Applicable**

Bid Comments **This Request for Information (RFI)/ Notice of Intent to Designate Sole Source/Sole Brand is intended to ascertain whether the commodity or service specified below is currently available from multiple providers/brands. 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/brand. This RFI/Notice of Intent to Designate Sole Source/Sole Brand will remain posted until the due date and time indicated. Vendors should submit response electronically through Periscope S2G. Vendor should upload any supporting information in Periscope S2G to assist in determining if product or service is comparable.

Commodities or Services Required
Vogelsang Pumps, Grinders, Replacement Parts, and Commissioning Services

Quantity or Term
Open-end Contract

Using Agency Requester
Broward County Water and Wastewater Services
Mark Grealy

Known Reasonable Source/Brand
Vogelsang brand pumps, grinders, and repair parts from the manufacturer exclusive municipal distributor, PSI Technologies, Inc.

Justification for Reasonable Source/Brand Acquisition
Water & Wastewater Services (WWS) has five (5) Vogelsang brand pumps currently installed at the North Regional Wastewater Treatment Plant (NRWWP). These pumps are used in the Fats, Oils, and Grease (FOG) Receiving Facility. The FOG system is a dedicated site for the proper disposal of fats, oils, and grease, a common by-product of restaurants that clog and damage sewer pipes.

In addition to the five (5) pumps, there are three (3) Vogelsang brand grinders on-line at the NRWWP's thickener

Broward County Board of
County Commissioners

building. These grinders are critical to the operations of the NRWWP as their primary function is to reduce the particle size of solid matter, including rags, wipes, plastics, etc. which enables further wastewater processing by minimizing problems to equipment and treatment. The grinders protect downstream system components from damage, prevent blockages and clogging of pumps, fittings and pipe streams.

WWS requires direct replacement pumps, grinders, and parts for the currently installed Vogelsang equipment. It is believed that Vogelsang brand pumps and grinders are proprietary. Replacement pumps, grinders, and parts from alternate brands are not interchangeable with original parts and may cause equipment incompatibility. The cost to design, reconfigure and test an alternate product would outweigh the cost to procure original equipment manufacturer replacement parts. Commissioning services may also be needed when replacement Vogelsang equipment is installed.

It is believed that the only brand of pumps, grinders, and replacement parts that can be used are Vogelsang brand. It is also believed that the sole manufacturer exclusive municipal distributor is, PSI Technologies, Inc.

If you are capable of meeting or exceeding the specification requirements for this product or equal, respond to this RFI/Notice of Intent to Designate Sole Source/Sole Brand through Periscope S2G. Provide product literature for any product to assist in determining if product is comparable. The Director of Purchasing shall have sole authority in deciding what is comparable.

Prospective Vendors are requested to provide information regarding their ability to supply the commodities or contractual services described or written explanation or other documentation contesting the proposed designation as a Sole Source/Sole Brand. Prospective Vendors will be considered only if they provide documentation demonstrating that they are capable of meeting or exceeding the specification requirements stated herein. All Vendor responses will be evaluated by the Director of Purchasing who shall have sole authority in establishing the approved equal status of the commodity or service offered by the vendor.

The Director of Purchasing shall consider such submittals and notify all submitting vendors of the decision whether to designate as a Sole Source/Brand, which decision shall not be subject to objection, protest, or appeal.

Item Response Form

Item **IND2125357F1--01-01- Vogelsang Pumps, Grinders, Replacement Parts, and Commissioning Services**

Quantity **1 contract**

Prices are not requested for this item.

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

EV0068

WATER AND WASTEWATER SERVICES

DIST. #4 (954) 831-3081

2401 N POWERLINE ROAD

POMPANO BEACH FL 33069

Qty 1

Description

Vogelsang Pumps, Grinders, Replacement Parts, and Commissioning Services

Question and Answers for Bid #IND2125357F1 Request for Information: Vogelsang Pumps, Grinders, Parts, Commisioning

Overall Bid Questions

There are no questions associated with this bid.

**Bid Tabulation Packet
for
Solicitation IND2125357F1**

**Request for Information: Vogelsang Pumps, Grinders, Parts,
Commisioning**

Bid Designation: Public



Broward County Board of County Commissioners

Bid #IND2125357F1- Request for Information: Vogelsang Pumps, Grinders, Parts, Commisioning

Creation Date **Sep 1, 2022**

End Date **Sep 21, 2022 2:00:00 PM EDT**

Start Date **Sep 14, 2022 1:44:18 PM EDT**

Awarded Date **Not Yet Awarded**

IND2125357F1-01-01 Vogelsang Pumps, Grinders, Replacement Parts, and Commissioning Services						
Supplier	Unit Price		Qty/Unit	Total Price	Attch.	Docs
				No Bids		
Agency Product Code:			Supplier Notes:			
Agency Notes:						
