

**CITY OF CARLSBAD
SOLE SOURCE AND EMERGENCY PROCUREMENT 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 Purchasing Manager. *A purchase order will not be issued and orders may not be placed until the sole source determination as been posted for a minimum of 15 days.*

I. Name of Company: Architlectural Products by Outwater Date: 2/20/2017

Please Check One: New Sole Source Renewal of Existing Sole Source

Please Check One: Product Services Product and Services

Type of Sole Source Requested: *(Please check the one that best describes the type of Sole Source you are requesting)*

Company Sole Source (Only one company can provide the goods or services)

Brand Name Sole Source (Only this brand will serve the intended purpose or function with existing equipment or systems, including software)

Unique Professional Services (Only one company or individual can provide this service due to the creative nature of the service or custom delivery of goods or services that are unique and subject to custom design and/or fabrication.
**Please note- True Professional Services under \$60,000 in value are considered a small purchase and does not require a sole source determination.

Proprietary Sole Source (Only this company provides this product or service and only this company can provide after sale maintenance, repairs or service agreements)

Local Sole Source (Only one company exists to provide this product or service locally and due to the nature of the purchase, it is not feasible or reasonable to obtain the product or service from non-local sources. Only one local vendor is able to respond to the need in a timely manner due to local proximity)

Amount of Purchase \$ 18,972.00

II. **Emergency Procurement Request**

DEFINITION OF EMERGENCY CONDITIONS:

An emergency condition is a situation which creates a threat to public health, welfare, safety or property such as may arise by reason of floods, epidemics, riots, equipment failures or similar events. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

- A. the functioning of government;
- B. the preservation or protection of property; or
- C. the health or safety of any person.

Please provide a detailed explanation for why the purchase required meets the above definition of an Emergency Condition.

** The Emergency Determination will only be in effect as long as needed to alleviate the emergency conditions. Once the emergency condition has passed, regular procurement methods and procedures must be followed.

Amount of purchase: \$ _____

Sole Source Determination

III. 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.”)

Outwater is the only company found to have the correct size, style and color needed for use in the museum's galleries. Outwater is able to provide the lay in tiles needed to go with our existing suspended grid system that holds our ceiling tiles as well as the grid covers which snap on to the existing system.

IV. 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.*

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

VI. Provide a narrative of the due diligence used in determining the basis for the procurement, including a review of available sources and include 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, provide the goods or services; or an explanation of why the department has determined that no businesses other than the prospective contractor can provide the goods or services requested.

Museum staff has worked for months to find ceiling tiles, grid covers and trim to work with our existing grid system. Outwater Products has been the only place found that can provide the correct type (lay in tiles are needed, everywhere else has glue on tiles), the correct color and size (2'x4' is needed, other companies have 2'x2'). Staff worked with Joseph from Lowe's for three months trying to find a way for Lowe's to quote out the same order, but was unable to find a product which was similar to what Outwater has.

Certified by:

Date: _____

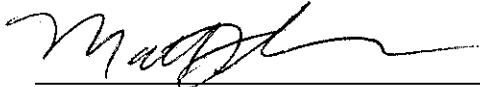


Digitally signed by Patsy Jackson
DN: cn=Patsy Jackson, o=City of Carlsbad,
ou=Culture and Rec,
email=pjackson@cityofcarlsbadnm.com, c=US
Date: 2017.02.20 17:54:17 -0700'

Department Director

APPROVED:

Date: 2-28-17



Chief Procurement Officer

Authority to Proceed

- 1) the signature of the CPO on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the State Purchasing Agent; and
- 3) the signature of the CPO on this form is the final signature required for this sole source procurement.



ARCHITECTURAL PRODUCTS
 BY OUTWATER, LLC
 24 RIVER RD
 BOGOTA NJ 07603
 1-201-498-8787

*** QUOTE ORDER ***

Quote No: Q174355
 Quoted : 02/02/2017
 Division: 5
 Branch : 1
 Page : 1

SOLD TO: 5CIT541146 ATTN : MICHELLE ROBERTSON CITY OF CARLSBAD PURCHASING DEPT P O BOX 1569 CARLSBAD, NM 88221-1569	SHIP TO: CITY OF CARLSBAD PURCHASING DEPT P O BOX 1569 CARLSBAD, NM 88221-1569
---	---

Phone : 1-5752347905
 Email : mdrobertson@cityofcarlsbadnm.com
 Terms : 30 NET 30 DAYS
 Ships From : NC 27409
 Quoted By : jackson

QUOTED QTY	UM	ITEM and DESCRIPTION	PRICE	UM	EXTENSION
435	EA	PCT24L-MAD-BB 2'X4' LAY IN CEILING TILE MADISON BERMUDA BRONZE	30.5000	EA	13267.50
42	EA	PCT22L-MAD-BB 2'X2' LAY-IN CEILING TILE MADISON BERMUDA BRONZE	13.5000	EA	567.00
50	EA	GMKIT-BB GRIDMAX KIT - COVERS 100 SQ FT BERMUDA BRONZE	92.2500	EA	4612.50
1	EA	.SHIPPING APPROX	525.0000	EA	525.00
1	EA	DEPOSIT MAY BE REQUIRED BEFORE ORDER IS PROCESSED-PLEASE INQUIRE	0.0000	EA	0.00
1	EA	SPECIAL-ORDER NO CANCELLATIONS AND/OR RETURN PLEASE SIGN TO ACCEPT TERMS	0.0000	EA	0.00
LEAD TIME: 2 WEEKS ON CEILING TILES. 2 TO 3 WEEKS ON GMKIT.					
LEAD TIME BEGINS WHEN YOUR DEPOSIT IS SECURED AND					

QUOTE EXPIRES: 03/04/2017 Signature: _____

THANK YOU FOR THE OPPORTUNITY TO QUOTE YOU



ARCHITECTURAL PRODUCTS
 BY OUTWATER, LLC
 24 RIVER RD
 BOGOTA NJ 07603
 1-201-498-8787

*** QUOTE ORDER ***

Quote No: Q174355
 Quoted : 02/02/2017
 Division: 5
 Branch : 1
 Page : 2

SOLD TO: 5CIT541146 ATTN : MICHELLE ROBERTSON CITY OF CARLSBAD PURCHASING DEPT P O BOX 1569 CARLSBAD, NM 88221-1569	SHIP TO: CITY OF CARLSBAD PURCHASING DEPT P O BOX 1569 CARLSBAD, NM 88221-1569
---	---

Phone : 1-5752347905
 Email : mdrobertson@cityofcarlsbadnm.com
 Terms : 30 NET 30 DAYS
 Ships From : NC 27409
 Quoted By : jackson

QUOTED QTY	UM	ITEM and DESCRIPTION	PRICE	UM	EXTENSION
------------	----	----------------------	-------	----	-----------

APPLICABLE AUTHORIZATIONS/CONFIRMATIONS HAVE BEEN RECEIVED.

PLEASE CALL IF I MAY BE OF ANY FURTHER ASSISTANCE.

QUOTE EXPIRES: 03/04/2017 Signature:

THANK YOU FOR THE OPPORTUNITY TO QUOTE YOU

PROJECT ESTIMATE

CEILING TILE PROJECT.

CONTACT: CARLSBAD MUSEUM
CUST #: 100425349

SALESPERSON: GALINDO, JOSEPH
SALES #: 2207563

PROJECT NUMBER: 485885499

DATE ESTIMATED: 11/07/16

QTY	ITEM #	ITEM DESCRIPTION	VEND PART #	PRICE
23	89091	FINE FISS HG+ AD SQ L/N .24 X .1729AAD.		2654.89
22	89091	100 SQ FT GRIDMAX KIT OIL RUBB 282-26		1476.64
TOTAL FOR ITEMS				4131.53
FREIGHT CHARGES				0.00
TOTAL ESTIMATE				4131.53

This Quote is valid until 12/07/16.

THIS IS AN ESTIMATE ONLY. THIS ESTIMATE DOES NOT INCLUDE TAX, DELIVERY CHARGES OR ANY OTHER SPECIAL FEES THAT MAY BE APPLICABLE. DELIVERY OF ALL MATERIALS CONTAINED IN THIS ESTIMATE ARE SUBJECT TO AVAILABILITY FROM THE MANUFACTURER OR SUPPLIER. ALL OF THE ABOVE QUANTITIES, DIMENSIONS, SPECIFICATIONS AND ACCESSORIES HAVE BEEN VERIFIED AND ACCEPTED. I UNDERSTAND THAT THIS ORDER WILL BE PLACED ACCORDING TO THESE SPECIFICATIONS AND IS NON-REFUNDABLE.