

NOTICE OF DETERMINATION
for
SOLE SOURCE/EMERGENCY PROCUREMENT

7/30/19

The City is making the determination to proceed with this purchase as an Emergency/Sole Source Procurement as defined in (Section 1.4.1.58-64) of the New Mexico State Procurement Code.

1.4.1.59 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.

The CPO opinion is that the emergency procurement is justified by meeting both condition A and C of Section 1.4.1.59.

A. The City is the sole provider of water for the citizens of Carlsbad. Failure to provide water as a public utility provider would affect the government's ability to function in its duty to the citizens.

C. The citizens of Carlsbad require water for public health and welfare.

Description of Emergency Condition(s): The City is required by the State of New Mexico to report data regarding water usage. The City utilizes equipment and software manufactured by In-Situ Inc. and only these products are compatible with our existing equipment and software.

Currently, our transducer is non-functioning and needs to be replaced as soon as possible. Due to the issue with the transducer, we are currently unable to send and/or report the necessary data to the State in order to make determinations regarding surges in water usage and potential need for water rationing procedures.

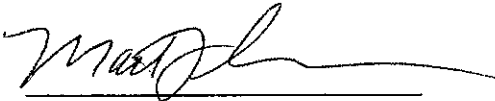
Because the amount of equipment needed is above our small purchase threshold amount of \$2,500, and we cannot obtain quotes from other sources, our only option is to purchase the needed equipment from In-Situ.

The purchase qualifies as a sole source purchase, but we currently do not have a sole source determination in place. Waiting the required 30 days posting requirement, including the 15 day protest period is not possible due to the urgency of the reporting requirements. In order to be compliant with State regulations, we must proceed with the purchase as soon as possible.

The City has posted a sole source determination notice for In-Situ Inc., which will address any future needs for services to be performed by this vendor.

Purchase Amount \$ 5,452.60

PO # 22001802

A handwritten signature in black ink, appearing to read 'Matthew Fletcher', is written over a horizontal line.

Matthew Fletcher, CPO

Purchasing Manager

City of Carlsbad

Date: 7/30/19



Matthew Fletcher <msfletcher@cityofcarlsbadnm.com>

Re: In Situ Requisition

1 message

Josh Dougan <jjdougan@cityofcarlsbadnm.com>

Mon, Jul 29, 2019 at 3:06 PM

To: Matthew Fletcher <msfletcher@cityofcarlsbadnm.com>

All of our equipment is through In Situ along with our software program. These items are needed to monitor the water levels for water rationing and this, this is how we determine how to set the criticality for watering. We cannot use any other parts as they will not work with our software.

On Mon, Jul 29, 2019, 2:43 PM Matthew Fletcher <msfletcher@cityofcarlsbadnm.com> wrote:

Josh,

We don't currently have a sole source for In-Situ. It looks like we had one about 10 years ago, but all of our purchases since then have been too small to need a sole source determination.

So, is the state requiring that we use In-Situ equipment? In other words, what makes this a sole source?

Thanks

Matt Fletcher, CPO
Purchasing Manager
City of Carlsbad
575-234-7905

On Mon, Jul 29, 2019 at 12:41 PM Josh Dougan <jjdougan@cityofcarlsbadnm.com> wrote:

Brooke,

Attached are the quotes for the monitoring well supplies needed for our data that we send to the state.

If you have any questions, please let me know or shoot me! lol

Thanks yet again!

Josh Dougan
Water Maintenance Supervisor
575-689-5771

**Bill To**

City of Carlsbad
PO Box 1569
Carlsbad, NM 88221-1569
or
Email to Invoices@cityofcarlsbadnm.com
A/P Phone 575-234-7961

PHONE

(575) 887-1191

FAX

(575) 887-7559

HOURS

Monday - Friday

8:00 a.m. - 5:00 p.m.

(Mountain Time)

www.cityofcarlsbadnm.com**Purchase Order**

Fiscal Year 2020

Page: 1 of 2

**THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND SHIPPING PAPERS.**

Purchase Order #

22001802

Delivery must be made within doors of specified destination.

Vendor

IN-SITU INC
221 EAST LINCOLN AVE
FORT COLLINS, CO 80524

Ship To

W&S Warehouse
City of Carlsbad, NM
209 N Cypress
Carlsbad, NM 88220
Email: water@cityofcarlsbadnm.com
Phone: 575-885-2541

VENDOR PHONE NUMBER		VENDOR FAX NUMBER		REQUISITION NUMBER	DELIVERY REFERENCE
800-446-7488				12002541	
DATE ORDERED	VENDOR NUMBER	DATE REQUIRED	FREIGHT METHOD/TERMS		DEPARTMENT/LOCATION
07/30/2019	3517	07/29/2019			Water
NOTES					

TRANSDUCER FOR MONITORING WELLS

The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading

ITEM #	DESCRIPTION / PART #	QTY	UOM	UNIT PRICE	EXTENDED PRICE
1	LEVEL TROLL 500 PART NUMBER 0089020. THIS IS FOR MONITORING WELL 4. SOLE SOURCE VENDOR GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$1,170.00	\$1,170.00
2	LEVEL TROLL 200 TRANSDUCER FOR THE DAM. PART NUMBER 0056020 GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$2,495.00	\$2,495.00
3	WIRELESS TROLL COM. PART NUMBER 0031240 FOR MONITORING WELLS GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$595.00	\$595.00
4	6 INCH RUGGED ANDROID DEVICE FOR MONITORING WELL HANDHELD. PART NUMBER 0054500 GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$595.00	\$595.00
5	LARGE DESSICANT FOR MONITORING WELLS. PART NUMBER 0051810. GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$115.00	\$115.00
6	ESTIMATED TAX ON MONITORING WELL SUPPLIES GL Account: 700-50-7000-700-0000-64475-	1.0	EACH	\$397.60	\$397.60

City of Carlsbad "Standard Terms and Conditions for Purchase Orders" are made a part of, and incorporated into, this Purchase Order by this reference. They can be viewed at www.cityofcarlsbadnm.com/departments/purchasing-department/. Any performance by Vendor pursuant to this Purchase Order constitutes Vendor's acknowledgement that Vendor has read and agreed to the referenced Standard Terms and Conditions.

Total Ext. Price	\$5,452.60
Total Sales Tax	\$0.00
Total Freight	\$0.00
Total Discount	\$0.00
Total Credit	\$0.00

Purchase Order Total \$5,452.60


Authorized Signature


Authorized Signature