



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
- Amount of prospective contract: 20,000 Annually
- Term of prospective contract: 1 ~~4~~ yrs
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- 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 (North Band Screen rebuild)
- IV. Provide an explanation of: the criteria developed and specified by the department.
- V. The JWC North Band Screen is an integral part of the pre-screening process. The Band Screens are imperative to have online to protect the membranes from trash and debris that will in a very short time will fail to meet the effluent discharge Quality needed to maintain compliance.
- VI. 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 Monstor, Screenings Wash Monster, Honey Monster and Muffin Monster Separation System. They hold numerous patents and trademarks on these products.

VII. 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 manufacture of these products and exclusive source for service parts for this equipment.

VIII. 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 manufacture of these products and exclusive source for service parts that are under trade mark protection. As the manufacture, JWC Environmental is the only company that is able to perform the work per specifications which would not void manufacture defect protection.

IX. 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 buy the parts from JWC Environmental but cannot perform the work.

b. Misco Water is not equipped to do the repairs on JWC Environmental equipment

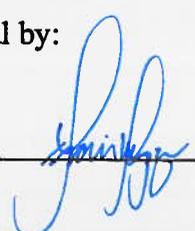
c. James Cook & Hobson is not equipped or familiar to work on JWC Equipment.

Certified by:

Department Approval by:

Date: 3/8/14

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

Challenges
