



# 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](mailto:svoigt@taosgov.com)  
Telephone Number: 575-751-2025
  
- II. Name of prospective Contractor: Relevant Solutions pka: Controls West  
Address of prospective Contractor: 3045 N. Norfolk  
Mesa, AZ 85215  
Amount of prospective contract: \$10,000 annually  
Term of prospective contract: 4 years
  
- III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:  
Annual software maintenance subscription for SCADA (**Supervisory Control and Data Acquisition**) used to monitor, gather data. Interacts with control valves, pumps, and motors within the water and wastewater treatment systems.
  
- IV. Provide an explanation of: the criteria developed and specified by the department.  
Proprietary software system.
  
- V. 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.”)

Proprietary software system.

- VI. 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.*

Proprietary software system.

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

Proprietary software system.

- VIII. 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.

The existing software maintenance subscription for SCADA at the wastewater treatment facility was previously paid for by Ch2M, the previous operations and management company of the wastewater treatment facility. After going through the RFP process for the operations and maintenance of the plant, the Town contract with SMA Operations for those duties.

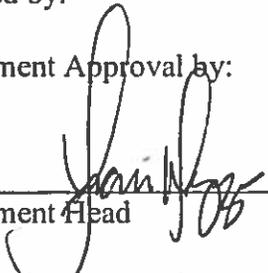
The annual software maintenance subscription for SCADA in the water distribution and treatment program was originally set up and maintained by Mr. Dewalt Oosthuizen with Automation Electric.

The Town will now pay for software maintenance subscription directly rather than through third party contractors.

Certified by:

Department Approval by:

Date: 8.1.16

  
\_\_\_\_\_  
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**

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