



COUNTY OF MENDOCINO
Executive Office
Central Services Division

EB No. 16-34

CARMEL J. ANGELO
CHIEF EXECUTIVE OFFICER
PURCHASING AGENT

EXCEPTION TO COMPETITIVE BIDDING PROCESS
SOLE/SINCE SOURCE PURCHASING, AND DISCLOSURE STATEMENT

Request Date:	10/23/2015		
Requesting Department:	Executive Office - Facilities		
Contact Name:	Doug Anderson		
Contact No:	Email: andersond@co.mendocino.ca.us	Phone: 234-6054	
Prior Sole Source Reference No.(s), if any:			
Description of purchase or service:	Design Services for Roof Replacement Projects at the Administration Center and Public Health/Mental Health buildings		
Requested Vendor:	Interactive Resources		
Estimated Total Cost: (Attach all written quotations)	\$178,380		

OVERVIEW

State and local laws subject Mendocino County to competitive bidding rules. Requests for goods and/or services from a specific vendor or limited to a specific brand, where substitutes to the recommended vendor or brand are unacceptable, must be accompanied by a written justification (carefully documented on an 'Exception to Bidding' form) explaining the circumstances that make alternatives unacceptable. The employee signing the justification must disclose in writing whether or not he/she has a potential or actual conflict of interest. County employees who have a business relationship with or financial interest in the recommended vendor must disclose the conflict of interest. Any employee with an actual or potential conflict of interest may not participate in the purchase decision.

Employees signing the justification must disclose in writing whether or not he/she has a potential or actual conflict of interest. County employees who have a business relationship with or financial interest in the recommended vendor must disclose the conflict of interest. Any employee with an actual or potential conflict of interest may not participate in the purchase decision.

The Chief Executive Officer/Purchasing Agent or authorized designee will determine whether the justification is appropriate. Requests for exception must be supported by factual statements that will pass an audit.

Goods: Departments must also note that the County must comply with competitive bidding on purchases of goods in the amount \$10,000 or more. This competitive bidding process is conducted solely by the Executive Office/Central Services Division.

Services: Departments shall obtain competitive bids for personal and professional services contracts over \$25,000. If a department holds a contract between \$10,000 and \$25,000 for up to three years, said department shall obtain competitive bids for that contract before beginning the fourth year of said contract.

INSTRUCTIONS:

- Complete all relevant information and sections within the form.
- Provide full explanations, complete descriptions, and/or list all relevant reasons as requested.
- Sign and date the form.
- Improperly completed, and/or unsigned forms may be returned to the sender.
- Submit completed form to the County Counsel. Following their review, County Counsel will forward to the Executive Office (for service related requests, submit prior to the initiation of the contract process; for the acquisition of goods/commodities, submit prior to the submission of a requisition).
- Reference Mendocino County Policy No. 1 and Executive Office's Competitive Procurement Guidelines.

Exception to Bidding Substantiation/Documentation**1. Select one of the following:**

- ☒ **Sole/single source procurement.** Sole Source is defined as a product or service which is practicably available only from one source. A single source is a source specifically selected amongst others, if any, due to specific reasons, i.e. replacement parts, compatibility, quality, service, support, etc.
- ☐ **Proprietary procurement.** A proprietary procurement restricts the product to that of one manufacturer. In such cases, the consideration of proposed equals is excluded. Competition may be obtained among the distributors which carry the specific product.

2. Please check all applicable categories below and provide additional information where indicated to support the type of exception indicated in No. 1 above.

- ☐ The requested product is an integral repair part or accessory compatible with existing equipment.
Existing Equipment: _____
Manufacturer/Model Number: _____
Age: _____
Current Estimated Value: _____
- ☐ The requested product has unique design/performance specifications or quality requirements that are not available in comparable products.
- ☐ The County has standardized the requested product or service and the use of another brand/model would require considerable time and funding to evaluate.
- ☐ The requested product or service is one with which I (and/or my staff) have specialized training and/or extensive expertise. Retraining would incur substantial cost in time and/or funding.
- ☐ The requested product is used or demonstration equipment available at a lower-than-new cost.
- ☐ Repair/Maintenance service is available only from manufacturer or designated service representative.
- ☐ Upgrade to or enhancement of existing software is available only from manufacturer.
- ☐ Service proposed by vendor is unique; therefore, competitive bids are not available or applicable.
- ☒ Other factors (provide detailed explanation and substantiation in No. 3 below).

3. Provide a detailed explanation and pertinent documentation for each category checked in item 2 above. Attach additional sheets if necessary:

In 2013 Interactive Resources submitted a proposal in response to county RFQ 27-13 for Architectural Services for Multiple Projects. Among other projects Interactive Resources was selected to provide survey and analysis of the HVAC systems and roofing conditions at a variety of county buildings including the Administration Center and Public Health/Mental Health buildings. As a result of these surveys, the county developed priorities and budgeted for projects to replace roofing and rooftop equipment at these buildings. The current project to complete final design review and analysis, make design recommendations and prepare permit and construction drawings is a continuation of the initial work conducted by the firm. It is in the best interest of The County to continue into the final design phase of the project with the same architects and consultants that prepared the initial reports to ensure the project drawings fully reflect the scope and programming developed in the earlier phases. Competitive bidding at this stage of the design process would not be in the public interest.

The firm's rates are competitive with those of comparable architects as determined by the 2013 RFQ, and they continue to honor the rates proposed at that time. Their familiarity with our buildings and systems and the program requested by the county means they will be moving seamlessly into the next phase of the design. The proposal is for time and materials not to exceed the proposed amount, the County will not be billed for time that is not required to complete the documents and provide the

services needed to complete the projects. Requesting competitive proposals from vendors unfamiliar with the County's building systems and program would not provide any economic benefit to the county.

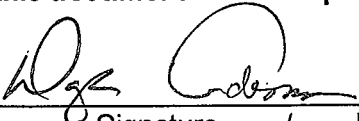
4. Was an evaluation of other equipment, products, or services performed? ☒ Yes ☐ No
If yes, please provide all supporting documentation, including copies of any quotes obtained, and an explanation below.

The most recent evaluation and selection of Architectural firms were performed in 2013. The selected vendor has provided architectural services on a number of projects over the past two years based on the 2013 selection process. The Facilities and Fleet division has developed an Architectural Services selection program consistent with Policy No. 1 that includes a new RFQ every three years. The next RFQ for general architectural services is scheduled for 2016.

5. List below the name of each individual who was involved in the evaluation, if conducted, and in making the recommendation to procure this product or service. Attach additional information, if necessary. Each individual must submit a completed and signed Disclosure Statement (attached).

Doug Anderson
Dan Mazzanti

6. I certify that the above information is accurate to the best of my knowledge, and a signed copy of this document will be kept on file and available for audit in my department.

 11/4/2015
Signature / Date

Douglas Anderson
Printed Name

Executive Office – Facilities and Fleet Division
Department


Facilities Project Specialist
Title

 11-4-15
Department Head Signature / Date

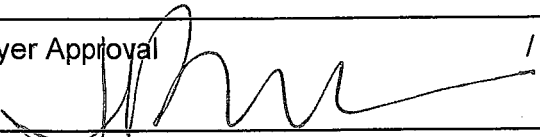
Christopher Shaver
Printed Name

EXECUTIVE OFFICE/CENTRAL SERVICES REVIEW

☒ APPROVED / ☐ DENIED

 11/10/15
County Counsel / Date

☒ APPROVED / ☐ DENIED:

Buyer Approval / Date

Executive Office/Purchasing Agent Approval / Date
11/12/15

Comments:

**DISCLOSURE STATEMENT TO ACCOMPANY
REQUEST FOR EXCEPTION TO COMPETITIVE BIDDING PROCESS**

Each individual involved in evaluating and/or in making a recommendation to purchase must complete, sign, and submit a Disclosure Statement with the applicable Purchase Requisition. Filing an annual statement of economic interest does not exempt an employee from this requirement. (Attach additional information if necessary.)

1. Please list any income or gifts you received from this company during the past 12 months:

None.

2. Please list any financial interests (stocks, shares, investments, etc.) you have in this company:

None.

3. Do you have any other type of business relationship with this company?

No.

4. To the best of your knowledge, does any member of your departmental staff have a business relationship with this company?

No.

5. Do you or any of your near relatives have any financial interest in this company?

No.

6. Please provide any additional information you believe should be disclosed at this time:

7. I certify that the above information is true:



Signature

Christopher Shaver

Printed Name

11-4-2015

Date

Facilities Project Specialist

Title

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Signature

11-4-2015
10-23-2015

Date

Dan Mazzanti

Printed Name

Facilities & Fleet Division Manager

Title

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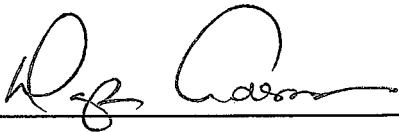
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Signature

11/4/2015
~~10-23-2015~~

Date

Douglas Anderson

Printed Name

Facilities Project Specialist

Title