



E.M.W. GAS ASSOCIATION

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Sole Source Request and Determination Form

Posted online at www.emwgas.com on September 20, 2018

A sole source **determination** is not effective until the **sole source request for determination** has been posted for (30) calendar days without challenge, and subsequently approved in writing by the Chief Procurement Officer.

The foregoing is a requirement under NMSA 13-1-126 – 13-1-126.1 as amended by Laws 2013, Chapter 40 § 6 effective June 14, 2013.

I. Central Procurement Office

EMW Gas Association
POB 118, Estancia, NM 87016
Chief Procurement Officer: Kay Brown, CPO
Telephone Number: 505-384-2369
Email Address: kay@emwgas.org

II. Prospective Contract/Contractor

Wellsite Compressor & Equipment Co., LLC
3600 Bent Cedar Trail
Edmond, OK 73034-2049

Prospective Contract Amount: \$482,900.00

Term of Prospective Contract: October 18, 2018 – October 17, 2019.

III. Budgeted Funds

EMW FY2019 Budgeted Funds were approved May 22, 2018 for expansion projects which limited CNG Equipment purchases.

IV. Product Description and Specifications

Item 1. Two (2) refurbished JW Power Ariel JPG-2/4 Four Stage CNG Compressor Packages, Storage Systems, Skids, Dispensers, Dryer, Control Panels and Parts.

Item 2. Dismantle, load, transport and off load at refurbishment facility.

Item 3. Disassemble, clean, repair, paint and prime all components and test as per manufacturer's recommendations. PLC reprogramming to Interface the Two (2) Systems for "Primary-Secondary" Operational Redundancy. Load equipment from refurbishing facility.

Item 4. Load, transport and off load refurbished systems to EMW's Moriarty Shop. Set up and install equipment and provide two (2) days of On-Site Startup Assistance and Training.

Item 5. Equipment Appraisal by Disinterested Party.

Item 6. Certificate of Working Order.

Item 7. Six (6) Month Limited Equipment Warranty.

Item 8. Secure and Negotiate Maintenance Contractor for Monthly Maintenance Services.

V. Procurement Criteria:

EMW Gas Association intends to purchase two refurbished CNG Compressing Stations from Wellsite Compressor & Equipment Co., LLC. The stations are precisely fitted and designed for the exact specifications needed for EMW to supply the public with Compressed Natural Gas for CNG vehicles.

Items included in the proposal are priced at 50% of the manufacturer's 2018 appraised value of new equipment and include a six (6) month warranty and "certificate of working order" as required by NMSA 1978 Section 13-1-155.

VI. Sole Source Justification:

The *August, 2018 Updated EMW Gas Association CNG Feasibility Study* produced by Bohannon Huston, Inc. indicates the public benefits of the project and reports that it is in the best interest of the EMW to provide retail-priced Compressed Natural Gas to the public along the Interstate 40 Corridor in Moriarty, New Mexico.

In addition, because Natural Gas is the cleanest, least environmentally harmful fossil fuel available, the addition of this service further supports EMW Gas Association's commitment to the environment.

It is the professional judgement of the Chief Procurement Officer that the precise pre-fitted specifications of this particular equipment, the excellent like-new condition in which it is to be purchased, the extreme discounted price of the equipment and its associated valuation documentation justifies the Sole Source Determination of this procurement.

VII. Unique properties of Service/Items of Personal Property Sought:

- ✓ The opportunity to provide additional infrastructure fills a large public service gap between CNG pumping stations along the I-40 corridor.

EMW Gas Association CNG Sole Source Procurement
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- ✓ The unique character and opportunity of this particular procurement is that the alternative is the cost-prohibitive project expense of approximately one million more dollars for new equipment would be in excess of budgeted funds.

VIII. Similar Professional Services/Items of Personal Property Disqualifying Factors:

Because the refurbished equipment will have been appraised and warrantied, and includes transportation, delivery, installation, startup assistance, and operational training, it is believed that no alternatives exist.

IX. Entity Due Diligence for Determination Basis:

This determination is being published for 30 days on the www.emwgas.com website and inserted once in a major newspaper of general circulation. This notice will further allow challenges and permit the Chief Procurement Office to evaluate the availability of alternatives which will fulfill project and budgetary needs of EMW Gas Association. In the event another vendor challenges the determination, the procurement will be stopped and a formal, sealed-bid solicitation for new equipment will be issued at the direction of the Board of Directors.

Certified by:



Eddie O'Brien, Assistant General Manager

9-20-18

Date

Challenges:

<u>Vendor Name</u>	<u>Date Challenge Received</u>
_____	_____
_____	_____
_____	_____

Signature of EMW Gas Association's Chief Procurement Officer (CPO):

- (1.) 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 the signature by the CPO.*
- (3.) Signature of the Procurement Officer on this form is required and is the final signature required for this sole source procurement to proceed.*

Approved:

Kay Brown, Chief Procurement Officer

Date