



E.M.W. GAS ASSOCIATION

PO Box 118 - 416 5th Street
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Sole Source Request and Determination Form

Posted online at www.emwgas.com on August 01, 2020

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: Jennifer Gauna, CPO
Telephone Number: 505-384-2369
Email Address: jeng@emwgas.org

H. Prospective Contract/Contractor

Odyssey Global Solutions LLC
2119 Riverwalk Dr. No 278
Moore, Oklahoma 73160

Prospective Contract Amount: \$18,000.00

Term of Prospective Contract: September 01, 2020 — September 01, 2021.

III. Budgeted Funds

EMW FY2020 Budgeted Funds were approved June 16, 2020 for expansion projects which limited CNG Equipment purchases.

IV. Product Description and Specifications

Item 1. TGT 7203-8 NGC50 – Dual Hose medium duty dispensers and associated hoses and nozzles

Item 2. FuelMaster FMU2550 Card reader

V. Procurement Criteria:

EMW Gas Association intends to purchase a TGT 7203-8 NGC50 Dual Hose medium duty dispenser and associated hoses and nozzles and a FuelMaster FMU2550 Card reader from **Odyssey Global Solutions, LLC**. This equipment is precisely fitted and designed for the exact specifications needed to assist in the delivery of CNG fuel from the existing CNG equipment EMW will be supplying the public for CNG vehicles.

Items included in the proposal are priced at less than 50% of the manufacturer's 2019 appraised value of new equipment and include a **one (1)** year limited warranty on the parts and labor from startup completion 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 1-40 corridor
- ✓ The unique character and opportunity of this particular procurement is that the alternative is the cost-prohibitive project expense of approximately fifty-seven thousand (\$57,000) more dollars for new equipment would be in excess of budgeted funds.

VIII. Similar Professional Services/Items of Personal Property Disqualifying Factors: Because the used equipment will have been appraised and warranted, and includes transportation, delivery, installation, and startup assistance, 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, General Manager

Date



7-30-2020

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.***

Jennifer Gauna, Chief Procurement Officer

Date
