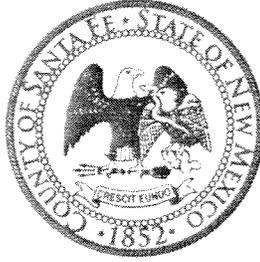


Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathleen Holian  
Commissioner, District 4

Elizabeth Stefanics  
Commissioner District 5

Katherine Miller  
County Manager

August 25, 2014

TO: Procurement File

FR: Bill Taylor, Procurement Manager *BT*

VIA: Claudia Borchert, Utilities Division Director  
Robert J. George, Utilities Infrastructure Manager

RE: Sole Source Determination Flow Point Environmental Systems – Water Dispensing System Upgrade.

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### ***Issue***

Santa Fe County Utilities Division manages and operates a bulk potable water station near the Santa Fe County Safety Complex off Hwy 14 in Santa Fe. The potable water station allows residential and commercial customers to set up prepaid accounts with Utilities and then haul water from the station to their homes and businesses throughout the County.

In order to increase dispensing rates, conserve water, and reduce wait time, (hence improving overall customer service), Utilities has identified the need to install a lower fill piping option with the associated valves and flow meter to the existing bulk water dispensing station. The new diversion point also requires reprogramming the existing customer interface computer (HMI) to account for water dispensed through the new fill point.

The bulk water dispensing facility upgrades must be performed by a vendor that is intimately familiar with the design and manufacture of bulk water dispensing facilities. In particular, the vendor must be capable of reprogramming and/or modifying the customer interface computer to function with the new fill point equipment.

The bulk water dispensing facility and computer interface were designed, manufactured and supplied by FlowPoint Environmental Systems. While other companies design, manufacture and supply bulk water facilities, other vendor's are not familiar with the design of the existing facility and how the mechanical systems interface with the computer. The computer software is proprietary to FlowPoint. Because FlowPoint's product was selected for the original bulk water dispensing facility, changes to the current dispenser will need to be performed by FlowPoint.

### ***Determination***

FlowPoint is exclusively involved in the design of this particular product and any related upgrade or modification their product. Bulk water dispensing facilities are unique products which are developed,

designed, marketed, supplied and maintained by specific vendors. The various vendors' products are not interchangeable, and utilize unique equipment and computer software and cannot be purchased on the open market from anyone other than the original vendor.

Therefore it is the determination of the Santa Fe County Purchasing Division that due to the uniqueness of the bulk water dispensing facility and the proprietary realm of services required to integrate the new fill point into the existing bulk water dispensing facility it is determined to be most practicable to award the scope of work necessary for the upgrade to FlowPoint as a sole source procurement.

Pursuant to 13-1-126, NMSA 1978 this Purchasing Department after conducting due diligence has made the determination that this is a sole source procurement pursuant to the NMSA 1978 13-1-126 that *“a contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost when the state purchasing agent or a central purchasing office makes a determination, after conducting a good-faith review of available sources and consulting the using agency, that other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract.”*

**Vendor Information:**

Vendor- FlowPoint Environmental Systems  
17 Rayborn Crescent  
St. Albert, Alberta Canada

Deliverables: Install lower fill piping, valves and flow meter to existing bulk water dispensing facility AND reprogram the existing customer interface computer (HMI) to dispense water through the new fill point.

Amount of Purchase: \$ 19,775.00