



TO: Board of Contracts and Awards
FROM: James P. Duggan, Fire Chief, Tacoma Fire Department
Roger Edington, Assistant Chief, Tacoma Fire Department
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator, and
Richelle Krienke, Finance/Purchasing
SUBJECT: Agilent Technologies Gas Chromatograph/Mass Spectrometer Accessory Equipment,
Installation, Training and Consulting Services for TFD
DATE: April 4, 2014

SUMMARY:

Authorizing a waiver of competitive procurement procedures and approval to increase the existing contract with Agilent Technologies, Santa Clara, California, by \$45,309.27 plus sales tax, to a cumulative total of \$201,513.33 plus sales tax, for accessory equipment, installation, training and consulting services to assist the Fire Department to operate a portable gas chromatograph/mass spectrometer.

STRATEGIC POLICY PRIORITY:

State and briefly explain which strategic policy priority is best aligned to this action.

- Strengthen and support public safety, human services, public education, and diverse higher learning opportunities in Tacoma.

The Tacoma Fire Department (TFD) Hazardous Materials Abatement (HazMat) Team uses its portable gas chromatograph/mass spectrometer (GC/MS) for investigative purposes. The device can be used for drug detection, fire and explosives investigations, environmental analysis and/or to otherwise identify the presence and quantity of unknown chemicals in a sample.

BACKGROUND:

In March 2012, TFD identified grant funding to purchase a GC/MS for the HazMat Team. The required portability and space constraints within the HazMat response vehicle as well as the desired need for compatibility with Environmental Services equipment limited the choice of available units to the Agilent Model 5975T GC/MS. Agilent Technologies agreed to sell a demonstration Model 5975T in use at Environmental Services at a 25 percent price discount. The purchase allowed TFD to take advantage of cross-training and interchange of equipment with Environmental Services as well as discount pricing. A not practical to bid waiver was approved in the amount of \$156,204.06 plus tax, enabling TFD to immediately acquire the GC/MS at a significant savings and meet a grant expenditure deadline. TFD now desires to utilize additional available federal grant funding to purchase and install accessory equipment for the Agilent GC/MS and acquire supplemental training and consulting services to improve HazMat’s ability to operate the GC/MS.

ISSUE: For the training, consulting and additional installed equipment to be authorized by the manufacturer and warranted for use with TFD’s existing GC/MS, Agilent Technologies, the manufacturer, must furnish and install the accessory equipment and provide the requested services. A waiver of competitive bidding is requested due to sole source.

ALTERNATIVES: Postponing or cancelling the proposed grant funded purchase of equipment and services reduces the capability of the TFD HazMat Team members to optimally operate the GC/MS, thereby reducing its potential benefit as an investigative tool.



COMPETITIVE ANALYSIS: To maintain product and service warranties, the requested equipment and services can only be provided by the manufacturer.

CONTRACT HISTORY: The Agilent Technologies Model 5975T GC/MS demonstration unit was purchased for \$156,204.06 in May 2012 using federal grant funding available for that purpose. The City Manager approved a request to waive competitive solicitation due to it not being practical to bid. A City Procurement Card was used for payment.

SUSTAINABILITY: Agilent Technologies has implemented the enclosed company-wide Environmental Policy. As part of the implementation of the policy, Agilent has adopted environmentally sustainable management practices and requires similar policies and practices from its suppliers. The policy also requires the firm to maintain and improve its environmental management by continually improving the sustainability of its products and activities.

SBE/LEAP COMPLIANCE: Not Applicable.

RECOMMENDATION:

TFD requests a waiver of competitive procurement procedures and recommends that the existing contract with Agilent Technologies be increased by \$45,309.27 plus sales tax, to a cumulative total of \$201,513.33 plus sales tax, for accessory equipment, installation, training and consulting services to assist TFD in operating its GC/MS.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
1090 Fire Misc Special Revenue	878000 GRT-01003-09	Various	\$45,309
TOTAL			\$45,309

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
2013 US DHS Port Security Grant	878000 GRT-01003-09	4333004	\$45,309
TOTAL			\$45,309



POTENTIAL POSITION IMPACT: (NOT APPLICABLE)

POSITION TITLE	PERMANENT/ PROJECT TEMPORARY POSITION	FTE IMPACT	POSITION END DATE
TOTAL			

This section should only be completed if a subsequent request will be made to increase or decrease the current position count.

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$45,309 plus sales tax.

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes



City of Tacoma
Fire Department

Date: April 2, 2014

To: Kathy Katterhagen, Procurement and Payables Manager

From: James P. Duggan, Fire Chief
Tacoma Fire Department

Subject: Waiver of Competitive Solicitation Request – Sole Source Purchase
Agilent Technologies Gas Chromatograph/Mass Spectrometer Accessory Equipment,
Installation, Training and Consulting Services for TFD

Please forward for Board of Contracts and Awards review and recommendation.

In accordance with Tacoma Municipal Code 1.06.257.A. (Sole Source), the Tacoma Fire Department (TFD) requests a waiver of the competitive solicitation process for accessory equipment, installation, training, and consulting services for the department's gas chromatograph/mass spectrometer (GCMS). The sole source vendor is the equipment manufacturer **Agilent Technologies, Santa Clara, California**. This is a one-time purchase totaling \$45,309.27, plus sales tax.

“Follow-on” Contracts:

Is this sole source purchase based on a contract that was previously competitively bid by the City?
Yes No

If “yes”, provide brief history of the initial contract award, bid specification or RFP number, date, etc. Briefly explain relationship of this sole source purchase to previously competitively bid contract.

A waiver of competitive bidding due to not practical to bid was approved by the City Manager, March 21, 2012, allowing TFD to purchase a demonstrator Agilent portable model 5975T GCMS in use at Environmental Services from the manufacturer at a cost of \$156,204.06 plus tax, enabling the department to immediately procure the discounted unit using federal grant funding prior to the grant deadline.

Waiver Criteria:

1. Is there more than one feasible supplier of the product or service in the marketplace?
Yes No
Briefly explain.

TFD desires to acquire and install additional accessory equipment and receive training and consulting assistance in the operation of its GCMS. For the training and installed accessory equipment to be warranted for proper use with the existing GCMS, Agilent must provide these services.

2. Please support your contention it would be futile to advertise and competitively bid for the product or service as it would result in only one bid:

a. Describe the screening efforts you engaged in to identify potential suppliers. Include names of potential suppliers, contact person, phone numbers, or addresses.

While GCMS training is possible from other vendors, a review of vendors determined that only the manufacturer can provide all of the services requested and ensure proper operation of the equipment within the equipment warranty. Non-Agilent work may compromise equipment warranties for the GCMS and the accessory equipment.

b. Describe any technical or unique product/service attributes that prevent drafting specifications for a competitive bid to which more than one supplier could successfully respond.

Please see above.

c. Is the product available only through one vendor? Yes No
If "yes", such certification should be in writing from the manufacturer (not the vendor) and supported by results of the screening process or validated by the Purchasing Division. Written certification attached? Yes No

What efforts were made to assure the City is receiving the lowest or best price possible?

Pricing was compared to other training furnished to Public Works and to other fire departments.

Written certification from manufacturer or vendor attached (optional)? Yes No

d. Is this a one-time purchase? Yes No Total amount: \$45,309.27
If "no," estimated total dollar amount over three-year period: _____

Other supporting documentation attached? Yes No

City Contact person: Assistant Chief Roger Edington **Phone:** 253-591-5749



James P. Duggan, Fire Chief

<u>Purchasing Use Only</u>	
Approved _____	Rejected _____
None (after the fact) _____	
Date _____	By _____

cc: Richelle Krienke, Senior Buyer, Finance/Purchasing