



TO: Board of Contracts and Awards
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer *KDK*
Paul Hanna, Fleet Manager, Public Works
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator, and
Richelle Krienke, Finance/Purchasing
SUBJECT: Increase Maintenance and Repair, Parts and Services for TYMCO Brand Street
Sweepers; Waiver of Competitive Solicitation-Sole Source,
Contract No. 4600011363 – August 14, 2018
DATE: July 25, 2018

RECOMMENDATION SUMMARY:

The Public Works Department requests approval to increase Contract No. 4600011363 with PacWest Machinery, LLC, by \$200,000, plus applicable taxes, and extend the term for three years, for maintenance and repair, parts, and services for TYMCO street sweepers. This will extend the term to July 15, 2021, and bring the contract to a cumulative total of \$400,000, plus applicable taxes.

STRATEGIC POLICY PRIORITY:

- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

This contract is necessary for service, maintenance, repair, and parts for the General Government TYMCO brand street sweepers.

BACKGROUND:

In July 2015 TYMCO certified in writing that Clyde/West, Inc. (which became PacWest Machinery, LLC) is the only authorized dealer for sales, repair parts, labor, service and related items for TYMCO brand street sweepers, and a Waiver of Competitive Solicitation – Sole Source was approved for \$200,000 in accordance with Tacoma Municipal Code 1.06.257.A. In July 2018 TYMCO re-certified in writing that PacWest Machinery, LLC is the only authorized dealer for sales, repair parts, labor, service and related items for TYMCO brand street sweepers.

ISSUE: This increase will provide for the continued sole source warranty and non-warranty factory authorized services, repairs, maintenance, and parts for the City's TYMCO brand street sweepers. If not implemented, Fleet Services will be required to obtain individual waivers for each repair.

ALTERNATIVES: Obtain individual waivers each time a piece of equipment is in need of repair. This will cause unnecessary down time to equipment and could be problematic if the equipment is disassembled for diagnosis.

COMPETITIVE ANALYSIS:

PacWest Machinery, LLC is the only authorized source for these parts and services in the state of Washington. For proper functionality, Fleet Services needs to use only original equipment



manufacturer parts and authorized dealers. PacWest Machinery, LLC is providing a discounted shop rate from \$105 to \$95 per hour and 10 percent discount for parts.

CONTRACT HISTORY: This contract was originally awarded to Clyde/West, Inc., which became PacWest Machinery, LLC, as a result of a sole source waiver in July 2015.

SBE/LEAP COMPLIANCE: Not applicable.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various			\$200,000
TOTAL			\$200,000

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various			\$200,000
TOTAL			\$200,000

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$100,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.



City of Tacoma

Date: August 1, 2018

To: Patsy Best, Procurement and Payables Division Manager

From: Kurtis D. Kingsolver, P.E.
Public Works Director, City Engineer

Subject: Waiver of Competitive Solicitation Request
 Sole Source Purchase – TMC 1.06.257.A
 Not Practicable to Bid – TMC 1.06.257.B
Maintenance, Service and Repair Parts for TYMCO Street Sweepers

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

Public Works, Fleet Services requests a waiver of the competitive solicitation process for maintenance, service and repair parts for TYMCO Street Sweepers. The vendor is **PacWest Machinery, LLC, Kent, WA.**

“Follow-on” Contracts:

Is this purchase based on a previous competitive solicitation conducted by the City or other agency? If yes, provide the contract information, specification number, etc., and explain the relationship of this request to the previous contract.

No

Waiver Criteria:

1. Is there only one feasible supplier of the product or service in the marketplace? Yes
If “yes”, such certification should be from the manufacturer (not the authorized distributor) and attached. The certification should describe what the product or service is and the relationship between the manufacturer and authorized distributor.

If No , briefly explain.

2. Support your contention that it would be futile to advertise and competitively bid the product/service.

The parts and warranty repair services to these sweepers can only be purchased from a factory authorized dealer, which in this case is PacWest Machinery, LLC, Kent, WA

3. Describe the screening efforts made to identify potential suppliers.

The maintenance, warranty repair services and parts for the sweepers can only be purchased from a factory authorized dealers, which in this case is PacWest Machinery, LLC.

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

For proper functionality, Fleet Services needs to use only original equipment manufacturer parts and factory authorized dealers. PacWest Machinery, LLC is the only TYMCO sweeper maintenance, service and repair parts provider for Washington State.

5. Reference the example line item in the Purchasing Policy that best fits this request.

XXI.B.2.c Authorized Service Provider, Repair and Warranty Services. The City requires service or repair support for products or equipment owned by the City, and the vendor is either a factory authorized warranty service provider or else that particular vendor is required for warranty services according to the conditions of a current City contract.

6. Describe the efforts made to assure that the City is receiving the lowest or best price possible.

PacWest Machinery, LLC has provided a written certification stating we are receiving a discounted shop rate and parts discount.

7. Is this a one-time purchase? Yes No Total amount: \$400,000.00, plus applicable sales tax.

If "no," estimated total dollar amount over contract term as allowed per waiver of competitive solicitation procedure: \$400,000.00, plus applicable sales tax

8. Waiver includes freight and authorization for up to 10 percent contingency where a good faith estimate is provided. Any increase beyond the 10 percent contingency requires authorization.

The total amount authorized including contingency shall not exceed \$200,000 without approval by the Public Utility Board or City Council, as appropriate.

9. **Other supporting documentation attached?** Yes No

10. Funds for this purchase are available in the Equipment Rental Fund 5400.

11. **PROJECT COORDINATOR:** Paul Hanna, Fleet Services, 253-591-5021

Buyer Justification Notes:

This is an increase to a waiver previously approved for \$200,000; SAP contract 4600011363.



City of Tacoma
Public Works Department

Date: June 29, 2015
To: Patsy Best, Procurement and Payables Division Manager
From: Justin E. Davis, Facilities Division Manager
Frederick Chun, Fleet Services Manager
Subject: Waiver of Competitive Solicitation Request – Sole Source Purchase
Maintenance and Repair Parts and Services for TYMCO Brand Street Sweepers

For your review and recommendation.

In accordance with Tacoma Municipal Code 1.06.257.A. (Sole Source), Public Works Department requests a waiver of the competitive solicitation process for the purchase of maintenance and repair parts and services for TYMCO brand street sweepers. The sole source vendor is **Clyde/West, Inc., Kent, WA**. This is an on-going contract, with a three-year estimate totaling \$200,000.00, 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.

N/A

Waiver Criteria:

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

Briefly explain.

The Public Works Department currently has six (6) TYMCO Brand Street Sweepers in its fleet inventory. These sweepers need maintenance and repair parts and services. Clyde/West, Inc. is the only authorized source for these parts and services in the State of Washington.

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.

The parts and warranty repair services to these sweepers can only be purchased from a factory authorized dealer, which in this case is Clyde/West, Inc., Kent, WA.

- 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.

For proper functionality, Fleet Services needs to use only OEM (original equipment manufacturer) parts and factory authorized dealers. Clyde/West, Inc. is the only TYMCO sweeper maintenance and repair parts and services provider for Washington State.

- 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

TYMCO has certified in writing that Clyde/West, Inc. is the only authorized dealer for sales, repair parts, labor, service and related items for TYMCO brand street sweepers

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

Clyde/West, Inc., Kent, WA has provided a written certification stating we are receiving a discounted shop rate and parts discount (attached).

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

- e. Is this a one-time purchase? Yes No Total amount: _____
If "no," estimated total dollar amount over three-year period: \$200,000.00

Other supporting documentation attached? Yes No

City Contact person: Frederick Chun **Phone:** (253) 591-5553

Kurtis D. Kingsolver, P.E.
Department/Division Head (Please Print)

[Signature] 7/16/15
Department/Division Head Signature Date

Not applicable

cc: Richelle Krienke, Senior Buyer, Finance/Purchasing

Purchasing Use Only	
Approved <input checked="" type="checkbox"/>	Rejected <input type="checkbox"/>
None (after the fact) <input type="checkbox"/>	
Date <u>7/16/15</u>	By <u>[Signature]</u>

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