

## SOLE SOURCE JUSTIFICATION FORM

This form must be completed for all Sole Source purchase requests and submitted to Business Support Services, Procurement Services Division (PSD) for approval prior to submitting a Consent Item for BOCC approval.

Requestor:	<b>Kajal Patel/Karen Hefner</b>	Date:	5/31/2013
Requestor Title:	<b>Senior Nutrition Program Manager/Homebound meal supervisor</b>	Department:	DSS-SFA
Phone:	<b>704-353-0696</b>	Requisition Number:	
Product:	<b>Meal delivery trucks with frozen box units</b>	Amount:	<b>\$92,080 (\$23,020.00 per frozen box unit x 4 units)</b>

I am aware that N.C. G.S. 143-129 and the Countywide Procurement Policy mandates that Mecklenburg County procure all apparatus, supplies, materials and equipment totaling \$30,000 or more by competitively bidding.

**Recommended Sole Source Vendor:**

Company Name: **Delivery Concepts East**  
Contact Name: **Gary Sample**  
Address: **1012 Highway 210 West**  
City, State, Zip: **Hampstead, NC, 28443**  
Telephone: **910-270-2090**

2. Is the recommended company the manufacturer?      Yes       No
3. Does the manufacturer sell the item(s) through distributors?      Yes       No

### SOLE SOURCE RATIONALE

A specific contractor is the only source of the required item because (check all that apply):

- The required items are proprietary to the Contractor
- A specific item is needed:
- to be compatible or interchangeable with existing hardware,
  - as spare or replacement hardware,
  - for the repair or modification of existing hardware, or
  - for technical evaluation or test.
  - other (Provide information below)
- There is a substantial technical risk in contracting with any other contractor, thereby making that an unacceptable course of action (e.g., where only one contractor has been successful to date in implementing a difficult manufacturing process). *In a brief explanation, provide supporting evidence of other contractor's with relevant capabilities and emphasize their inability to overcome the substantial technical risk.*

The meal delivery trucks with frozen box units that are used in Senior Nutrition Program are required to have the following features:- Freezer box units that can maintain meal temperatures throughout the delivery process, adequate capacity to hold at least 100 frozen meal boxes, good mileage and light weight vehicles. Delivery Concepts East in Hampstead NC meets all of these requirements and is the only authorized dealer for this type of special frozen box units. An attempt was made to explore other manufacturers for similar product and Custom Sales was the only company that came close to manufacturing a similar product. However, they use rechargeable plates in their freezer units which require plugging in electrical outlets overnight. This is not feasible for business operations as the vehicles are located in a non-secured parking lot.

- The requested product is essential in maintaining standardization and the use of another product would require considerable time and money to implement or evaluate.
- The product must be compatible to existing equipment in order to operate adequately; or maintain existing warranties.

If this project is technology related, has it been reviewed and approved by IST?

- No. (If No, you must complete this process before submitting the sole source form)
- Yes. (If Yes, provide IST Project List documentation or the date of IST approval so we may confirm the project status.) IST Approval Date: \_\_\_\_\_

1. Provide detailed information about why you need to acquire these goods:  
The Senior Nutrition Program in the Department of Social Services is requesting to purchase four frozen box units for meal delivery trucks to use for their homebound meal program. These units must have the capability to transport cold food items as well as frozen meals at proper temperatures to ensure compliance with Health Department regulations and North Carolina Division of Aging standards. The frozen box units will be purchased from an authorized dealer and the trucks will be purchased under the state contract. The trucks that we currently use have mileage over 100,000 and have been sent for extensive repairs. The freezer box units on the trucks have also had major repairs. By continuing to use the old trucks and frozen units, it is likely that the maintenance and repair costs will exceed the fair market value of the equipment. Therefore we are requesting that both the trucks and freezer units be replaced as soon as possible.

2. Has your department bought these goods in the past?  Yes  No

2a. Who was the contractor/supplier? Delivery Concepts East

2b. Was the requirement competitively bid or declared a sole source? Sole Source

2c. What was the last date and price paid for goods? In 2005, we paid \$18,002.00 for each frozen box unit.

3. Why are the requested goods the only item that can satisfy your requirements? Indicate the unique features of the product that are not available in any other product. Provide specific, quantifiable factors and qualifications.

Delivery Concepts East places their box units on a half-ton chassis which provides a smoother ride for drivers and provides better gas mileage. Their frozen box unit compressors run off the truck engine which provides proper cooling temperatures throughout service delivery.

4. Were alternative goods evaluated?  Yes  No

4a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.

Another company called Custom Sales was also evaluated for the purchase of these trucks. They use rechargeable plates for their freezer box unit which requires each vehicle to be plugged in overnight. These vehicles are located in an non-secured lot on Spratt Street making this not feasible for business operations, without an investment in renovations and/or relocation. Custom Sales also uses a steel frame for their box units which would increase weight and negatively impact gas mileage.

4b. If no, why were alternatives not evaluated?

5. What efforts were made to get the best possible price?

We obtained competitive quotes for similar products. Custom Sales quoted us a lower price but their freezer box units did not meet our requirements as explained above. Delivery Concepts provided reasonable pricing and we were able to do some limited negotiations to lower the price. There also has not been a significant price increase with Delivery Concepts since we purchased last time in 2005.

6. Will this purchase obligate the County to this vendor for future purchases?  Yes  No

6a. If yes, please provide details regarding future obligations and/or needs:

7. Why is the price for this purchase considered to be fair and reasonable?

We believe that Delivery Concepts is offering a fair and reasonable price for the frozen box units. Their price is in the market range when compared to prices from other companies that manufacture similar products.

8. What will be the financial or other impact to your department if this sole source is not approved and a competitive bid is required?

If there is a delay with obtaining new trucks and frozen box units, we run the risk of incurring further major repair costs due to age and mileage on the existing vehicles. If more than 1 truck breaks down at the same time, we will not be able to deliver the meals to homebound senior adults until the trucks are repaired.

### TERM

One Time Purchase  Ongoing Purchase

Procurement begin date:

Procurement end date:

I certify that the above information is true and correct and that I have no financial or other beneficial interest in the vendor or product.

Kajal Patel  
Requestor/Responsible Person

Date: 5/31/13

Michael Taylor  
Department Head

Date: 5/31/13

Kay Elmore  
Procurement Official

Date: 5/31/2013