



Sole Source Justification Form

This form must be completed for all Sole Source purchase requests prior to submitting for Board approval or entering a requisition in the County's financial system.

Instructions: Please complete the form and provide as much detail as possible. Sign the form electronically and return completed form to MeckPro@MecklenburgCountyNC.gov for review. Once a decision is made the form will be returned to you.

Date: 11/21/24

North Carolina General Statute 143-129(e)(6) requires that Mecklenburg County procure all apparatus, supplies, materials and equipment ("Goods") totaling \$30,000 or more by competitively bidding unless:

- i. Performance or price competition for a product is not available;
- ii. A needed product is available from only one source of supply; or
- iii. Standardization or compatibility is the overriding consideration.

1. Requestor Information

Name: Jeffrey Smithberger Title: Solid Waste Director
Phone Number: (980) 314-3863 Department: LUESA

2. Recommended Supplier

Supplier Name: Emerging Acquisitions d.b.a. Bulk Handling Systems
Address: 3592 West 5th Avenue City, State, Zip: Eugene, OR 97402
Contact Name: Eric Lee Telephone: (541) 485-0999 Email: ericl@bhsequip.com

3. Sole Source Justification

- a) Is the recommended supplier also the manufacturer? X Yes No
b) Does the manufacturer sell the item(s) through distributors? Yes X No

c) Please explain why performance or price competition (i.e. only one source can supply the items or meeting the requirements) is not available for the desired commodity.

Bulk Handling Systems (BHS) is the recycling equipment manufacturer and supplier of OEM parts for the machinery and conveyance systems for the Interim Material Recovery Facility (MRF). Operation of the Interim MRF will require readily available spare parts to ensure continued operations. The equipment will be under warranty; therefore, we want to utilize spare parts that comply with the stringent performance specifications of the equipment. BHS provided a recommended list and quote for spare parts to have available at start-up of the facility.

d) Please explain why compatibility and standardization are the overriding considerations for this purchase.

BHS is the designer, manufacturer, and installer for the Interim MRF processing equipment. The Interim MRF will contain equipment components that have specific tolerance, material, and size requirements for replacement parts to ensure compatibility with the entire system. Operational downtime due to the use of incompatible parts or lengthy lead times for replacement parts will significantly impact the ability to process recyclable materials, potentially invalidate the warranty, and result in negative cost impacts.

e) The specific supplier is the only source of the required item because (check all that apply):

- X A specific item is needed to be compatible or interchangeable with existing hardware.
- X A specific item is needed as spare or replacement hardware.
- X A specific item is needed for the repair or modification of existing hardware.
- A specific item is needed for technical evaluation or test.
- 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 contractors with relevant capabilities and emphasize their inability to overcome the substantial technical risk.

f) 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.

BHS is the equipment OEM and BHS spare parts shall be used to maintain compatibility with the overall processing system. The processing system consists of uniquely designed conveyors and equipment that are responsible for moving various recyclable materials throughout the MRF. The conveyor and equipment wear parts are not considered “off-the-shelf” parts that are easily available from non-OEM vendors. The risk of installing non-compatible equipment will be out-of-spec performance which will result in negative impacts to operations.

g) Were alternative goods evaluated? Yes X No

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

b. If no, why were alternatives not evaluated?

The installed processing equipment will be under warranty; therefore, the use of OEM parts was deemed necessary to ensure compliance with warranty requirements. In addition, optimal performance of the processing equipment is heavily dependent upon the replacement of wear parts with spare parts designed to be utilized in this specific system and unique operating environment.

TERM: X One Time Purchase

Ongoing Purchase

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

Jeffrey Smithberger, Solid Waste Director
(Enter name), Department Manager Signature
(Electronic signature is sufficient)

Date: **January 3, 2025**
Click to enter a date.

Ebenezer Gujjarlapudi, Director, LUESA
(Enter name), Department Director Signature
(Electronic signature is sufficient)

Date: **January 6, 2025**
Click to enter a date.

Leslie Johnson, DCM
(Enter name), Deputy County Manager Signature
(Electronic signature is sufficient)

Date: Click to enter a date.

To Be Completed by Procurement Division Staff		Date Received:
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Approval or Denial Reason:
Procurement Signature (electronic signature is sufficient):		