



Sole Source Justification Request Form

Use this form for Purchases exceeding \$10,000 for goods, and \$60,000 for Professional Services. Please Print

Determination: A sole source determination is not effective until the sole source request for determination has been posted for thirty (30) calendar days without challenge, and subsequently approved and signed by the Executive Director of Purchasing.

Term: Award of Sole Source Procurement Contract will stay on file for the term of the contract. Renewal of Sole Source Procurement must be re-submitted for new term.

SECTION 1: Requestor Information

Date of Request March 2016 Requisition number (if applicable) N/A Department Facilities Design & Construction
Requestor Name Tony Sparks, HVAC Project Mgr Phone 505-848-8816 Email tony.sparks@aps.edu

SECTION 2: Request for Details

Proposed Vendor Name Ashcraft Mechanical, Inc. Estimated Cost \$88,158.50 Estimated Quantity N/A
Contact Person David Ashcraft Title President
Phone 505-842-5511 Email Address david@ashcraftmi.com
Term 3 year contract Web Site Address www.ashcraftmi.com

SECTION 3: Description of Goods/Service to be procured (For descriptions and explanation fields, please use and attach additional pages as needed)
(See Attachment 1)

SECTION 4: Description of unique specifications, exclusive, one of a kind characteristic of commodity/service
(See Attachment 1)

SECTION 5: Sole Source Considerations (Check applicable considerations)

- Vendor is the sole manufacturer and sole distributor. (Attach applicable documents)
Exclusive Rights: Item or service under patent or copyright held by a single vendor and item or service possesses functions or capabilities critical to use. (Attach patent/copyright info.)
[Checked] Exclusive Design: Item or service possesses a unique function or capability critical in the use of the item or service and not available from any other sources. (Explain below.)
Replacement or Compatibility of Existing Equipment: The purchase is for equipment associated with use of existing equipment where compatibility is essential for integrity of results. (Provide Manufacture and Model Number of Existing Equipment)
Federal or state appropriation names vendor as condition of funding. (Attach copy of Grant that names vendor.)
Renewal of support/maintenance/subscription of software, technology, or other intellectual property. (Explain below.)
[Checked] Other (Explain below)

Explanation:
(See Attachment 1)

Requestor Signature Tony R. Sparks Date 3/21/16
Principal or Site Administrator Karen Alarid, Exec. Director Capital Date 21 Mar 16

## ATTACHMENT 1

### *Sole Source Justification Request – Ashcraft Mechanical 3-Year Extended Service & Maintenance Agreement*

#### SECTION 3: Description of Goods/Service to be procured:

Provide 3 years of extended maintenance and service for the mechanical (HVAC) systems installed as part of the recently completed Wilson MS renovation project. This closely follows the model used by PSFA as a requirement on all their funded construction projects that include mechanical equipment. The contractor operates, troubleshoots and maintains the HVAC system past warranty and through two additional seasonal cycles, to make all necessary adjustments and ensure that the system is fully functional and optimized before turning it over to APS Maintenance & Operations staff. Site-specific maintenance records and annual training of M&O are also provided.

#### SECTION 4: Description of unique specifications, exclusive, one of a kind characteristic of commodity/service:

This service and maintenance agreement utilizes the unique experience and system understanding of the project's installing Mechanical Contractor. Attempting to transfer this responsibility to anyone other than the specific person(s) responsible for the given installation would not only require their ground-up training about the system, but would also forfeit all knowledge/history of the nuances and challenges of the project.

#### Explanation:

Each building's HVAC performance is uniquely affected by local conditions, habits and micro-climate. This means that completion of a properly-tuned mechanical (HVAC) system often runs well past a project's Substantial Completion. The Extended Maintenance Agreement concept directly addresses this issue, providing continuity and expertise to tweak the system as needed, ultimately turning over the best possible building to its APS operator. Extended Maintenance Agreements are now a standard part of all FD&C construction projects, competitively bid as part of the contractor's proposal. This practice was not yet in place, however, at the time Wilson MS was bid.