



Whatcom
Transportation
Authority

Sole Source Justification

SS# 2019-1941TB

Form #SETU04 v.b

Procurement & Contracts

C4220.1F Rev. 4 Chapter VI.3.i.(1)(b) Defines aa sole source as:

A. When required supplies or services are available from only one responsible source, and no other supplies or services will satisfy its requirements.

B. When an existing contractor makes a change(s) to its contract that is beyond the scope of the original contract.

This justification form MUST be completed, signed, and returned to Procurement with all documentation prior to any purchase being made.

This form may not be attached to invoices for goods or services purchased prior to approval.

Are FTA Funds being used? ☒ No ☐ Yes – If yes, please call Procurement before completing form.

Proposed vendor name and address:

Western Refinery Services, Inc., 2380 Grandview Rd.,
Ferndale WA 98248

Estimated cost of goods or services:

\$ 186,000 / 6 years

☒ Attach Independent Cost Estimate

Check all that apply & provide documentation

This is a sole source because

- ☐ **One-of-a-kind** – there are no alternatives available on the market with the **same** or **similar** characteristics that WTA has a documented requirement for.
- ☐ **Patent or Copyright** – vendor has obtained a patent, data rights, or copyright for the good or service required.
- ☐ **Substantial Duplication Costs** – award to another vendor will result in costs that will not be recovered through competition. –
- ☐ **Unacceptable Delay or Declared Emergency** – Award to another contractor would result in an unacceptable delay to a project or an emergency has been declared. Failure to plan a purchase appropriately is not justification.
- ☒ **Single Bid or Proposal Received**

Describe the specific, necessary features that this product or vendor provides.

WTA contracts specialized truck and trained operator to remove sludge and sediment waste from stormwater control structure and catch basins on WTA property. Contractor clean sweeps WTA's parking lots at all of its facilities and the collected waste according to applicable laws

How was availability determined? List possible alternative sources. What compatible parts or equipment are available. If there are none, provide detailed information on the measures used in your determination?

Competitive ITB issued. Open for bids for 4 weeks. 43 known plan holders. 1 bid received

Who prepared the specification or statement of work? Did a vendor or contractor assist? If so, provide their information.

WTA based on current usage.

Is this a one-time Procurement?

☐ No* ☒ Yes

***If on-going sole source procurement is required, attach an estimate that shows total annualized expenditure (for each year).**



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SS# _____

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Procurement & Contracts

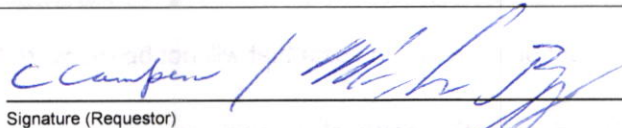
FAIR AND REASONABLE PRICE DETERMINATION

Check all that apply and attach back-up documentation

- ☒ Comparison of the proposed price to previously paid prices for the same or similar goods or services. See PO #2018079 / 2017129. Specify price: \$21,001 / 15,078
- ☒ Comparison of the proposed price to current published catalog, price lists, prices given to agencies of similar size with similar requirements, or market prices and the proposed price is similar or less.
- ☐ Comparison of the proposed price to documented yardsticks (such as dollars per pound or per horsepower, or other units of measure) and no significant inconsistencies that warrant additional pricing inquiry were found.
- ☒ The price is set by law or regulations.
- ☐ Pricing research of the good or service purchased by other agencies.
- ☐ Other: _____

STATEMENT OF NEED AND CERTIFICATION:

My department's sole source recommendation is based on a complete review of the good/service required and is in the best interest of WTA. No conflict of interest on my part or personal involvement in any way exists with this request. No real or perceived gratuities, favors, or actions have taken place between me, my department, or the vendor. Personal familiarity or preference with particular brands, equipment, materials, or firms influence this request. I certify that this justification is accurate and complete to the best of my knowledge.


Signature (Requestor)

4-3-2019
Date

Printed Name: Cindy Campen/Mike Bozzo

Title: Service Section Supervisor/Mike Bozzo

First Approval:

PROCUREMENT

Based upon the above, I endorse this acquisition.



Signature (Purchasing and Contracts Coordinator)

4-2-2019
Date

Second Approval:

DIRECTOR OF FINANCE

Based upon the above endorsement from Procurement, I authorize this acquisition.



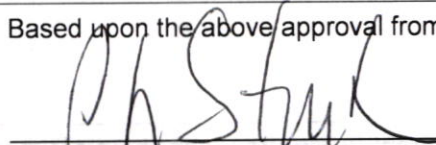
Signature (Director of Finance)

4/4/19
Date

Third Approval:

GENERAL MANAGER

Based upon the above approval from the Director of Finance, I authorize this acquisition.



Signature (General Manager)

4/4/19
Date

| Sweeping | | | | | | |
|-----------------------------|-------------|-------------|-------------|--------------|-----------------------------------|-------------------------|
| Date | Labor | Equipment | Dumping Fee | Total | Tons | Notes |
| 1/21/2017 | \$ 864.00 | \$ 650.00 | \$ 356.26 | \$ 1,870.26 | 7.59 | |
| 1/22/2017 | \$ 72.00 | \$ 65.00 | | \$ 137.00 | | Return Sweeper |
| 1/23/2017 | \$ 72.00 | | | \$ 72.00 | | Weight Tickets |
| 3/11/2017 | \$ 540.00 | \$ 487.50 | \$ 337.96 | \$ 1,365.46 | 8.1 | CTS, BTS, MOAB |
| 3/14/2017 | \$ 144.00 | \$ 130.00 | \$ 55.85 | \$ 329.85 | 1.75 | Sweep Bus and outer lot |
| 3/24/2017 | \$ 432.00 | \$ 390.00 | \$ 99.50 | \$ 921.50 | 2.48 | LTS, FTS |
| 4/5/2017 | \$ 310.00 | \$ 200.00 | | \$ 510.00 | 0.75 | MOAB |
| 11/1/2017 | \$ 1,040.00 | | \$ 160.20 | \$ 1,200.20 | 2.67 | All sites |
| 1/1/2018 | \$ 624.00 | | \$ 116.40 | \$ 740.40 | 1.94 | MOAB, FTS, LTS |
| 2/1/2018 | \$ 1,040.00 | | \$ 45.64 | \$ 1,085.64 | 0.28 | All sites |
| 3/1/2018 | \$ 1,040.00 | | \$ 423.80 | \$ 1,463.80 | 2.6 | All sites |
| 4/1/2018 | \$ 1,040.00 | | \$ 396.09 | \$ 1,436.09 | 2.43 | All sites |
| Total | \$ 7,218.00 | \$ 1,922.50 | \$ 1,991.70 | \$ 11,132.20 | 30.59 | |
| Average | \$ 601.50 | \$ 320.42 | \$ 221.30 | \$ 927.68 | 3.059 | |
| Calculated Average Increase | | | | | | |
| | \$ 1,186.48 | \$ 626.00 | \$ 295.07 | \$ 2,107.54 | Average Total x Jobs over 2 years | |
| | | | | | \$ 21,075.44 | |
| 2019 Proposal | | \$ 1,687.50 | per 5 sites | | | |
| 2016 Proposal | | \$ 1,040.00 | per 5 sites | | | |
| | | \$ 647.50 | | | | |
| Increase | | | 62% | | | |

| | | |
|-----------|---------------|---------------------------------|
| Sweeping | \$ 10,537.75 | est. per year |
| Vactor | \$ 18,138.27 | est. per year |
| | \$ 28,676.02 | Estimated Year 1 Cost |
| x 5 years | \$ 135,716.70 | Total Estimated Contract Amount |

| Vactor | | | | | | |
|-----------------------------|-------------|-------------|-------------|--------------|-----------------------------------|---|
| Date | Labor | Equipment | Dumping Fee | Total | Tons | Notes |
| 1/26/2017 | \$ 800.00 | \$ 862.50 | \$ 960.02 | \$ 2,622.52 | 7.84 | Clean #3 Basin/Clean Sumps, Deliver to Cemx |
| 1/25/2017 | \$ 924.00 | \$ 982.50 | \$ 1,797.43 | \$ 3,703.93 | 7.23 | Oily Water from Bus wash and catch basin |
| 6/5/2018 | \$ 3,012.58 | \$ 2,420.00 | \$ 3,567.23 | \$ 8,999.81 | 15.93 | MOAB sump cleaning, chassis wash, Cadman |
| 3/20/2018 | \$ 648.00 | \$ 452.50 | \$ 471.98 | \$ 1,572.48 | 2.84 | CTS catch basin & delivery |
| 2/7/2018 | \$ 962.00 | \$ 127.50 | \$ 69.09 | \$ 1,158.59 | 0.56 | CTS water filters & dump @ rds |
| 12/5/2018 | \$ 1,194.38 | \$ 720.00 | \$ 829.07 | \$ 2,743.45 | 5.04 | LTS drain clean |
| Total | \$ 7,540.96 | \$ 5,565.00 | \$ 7,694.82 | \$ 20,800.78 | 39.44 | |
| Average | \$ 1,256.83 | \$ 927.50 | \$ 1,282.47 | \$ 3,466.80 | 6.57 | |
| Calculated Average Increase | | | | | | |
| | \$ 2,479.13 | \$ 1,857.00 | \$ 1,709.96 | \$ 6,046.09 | Average Total x Jobs over 2 years | |
| | | | | | \$ 36,276.54 | |

| | | | | | |
|--|----------|-----------|----------|-----------------------------|----|
| Cowden rates have gone up from \$60 to \$100 per ton | | | | Average Labor Rate Increase | |
| | \$ 60.00 | \$ 100.00 | | 67% | 3% |
| Motor Pool Graders Prev. Wage a/o 1/17/19 | | | \$ 60.49 | hr | |
| Motor Pool Graders Prev. Wage a/o 1/17/18 | | | \$ 60.49 | hr | 0% |
| Motor Pool Graders Prev. Wage a/o 1/17/17 | | | \$ 58.69 | hr | 3% |
| General Labor Prev. Wage a/o 1/17/19 | | | \$ 48.90 | hr | |
| General Labor Prev. Wage a/o 1/17/18 | | | \$ 46.57 | hr | 5% |
| General Labor Prev. Wage a/o 1/17/17 | | | \$ 45.25 | hr | 3% |

| | |
|--------------|-----------------------|
| \$ 27,888.34 | Year 2 increase by 3% |
| \$ 27,122.29 | Year 3 increase by 3% |
| \$ 26,377.29 | Year 4 increase by 3% |
| \$ 25,652.75 | Year 5 increase by 3% |


COPY



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INDEPENDENT COST ESTIMATE SUMMARY FORM

Form #SETU03 v.c

Procurement & Contracts

Current WTA policy requires an independent cost estimate (ICE) before receiving quotes, bids or proposals in connection with every procurement action over \$15,000, including contract modifications.

RCW 39.04.020 requires the agency to make independent estimates of cost for all public work projects before procurement.

FTA C 4220.1F, Ch.VI, 6 requires grantees to make independent estimates of costs before receiving bids or proposals in connection with every procurement action, including contract modifications. Micro-purchases are exempt from an ICE.

Requisition Number: 2019 – 194ITB Date of Estimate: 1/17/19
(assigned by Procurement)

Description of Goods/Services: Vactor Truck and Lot Sweeping



COPY

- X New Procurement
____ Contract Modification (Change Order)
____ Exercise of Option


Method of Obtaining Estimate:

Attach additional documentation such as previous pricing documentation, emails, internet screen shots, estimates on letterhead, etc.

- ☒ Published Price List Independent of the Purchase (attach source and date)
☒ Historical Pricing (attach copy of documentation from previous PO/Contract)
____ Comparable Purchases by Other Agencies (attach email correspondence)
____ Engineering or Technical Estimate (attach)
____ Independent Third-Party Estimate (attach)
____ Other (specify) _____ (attach documentation)
____ Pre-established pricing resulting from competition (Contract Modification only)

Based on the ICE, the estimated cost for this purchase is \$135,716 over 5 years.

\$185,000 mto 2/13/19



Signature of preparer

1/17/18

Date

Magan Waltari

From: Cindy Campen
Sent: Friday, February 8, 2019 10:10 PM
To: Magan Waltari
Subject: RE: Vactor & Sweeping ITB
Attachments: Solicitation Request - Vactor Truck - with Cindy's changes.docx

Hi Magan,

As I was calculating to update the life of contract estimate, for a six year contract instead of five, I noticed that it looks like you decreased by 3% per year rather than increasing by 3% per year, on the ICE.

So here is what we would have for our ICE for a 6-year contract with annual 3% increases:

Year 1 - \$28,676.02
Year 2 - \$29,536.30
Year 3 - \$30,422.39
Year 4 - \$31,355.06
Year 5 - \$32,275.11
Year 6 - \$33,243.37

Total life of contract estimate - \$185,488.25

Do you want to update the ICE to reflect this change? Attached is the Solicitation Request with my adds and the updated life of contract estimate. Feel free to check over the math before I print it out and Mike and I sign it.

We're close!

Thank you,

Cindy

From: Magan Waltari
Sent: Friday, February 08, 2019 8:10 AM
To: Cindy Campen
Subject: RE: Vactor & Sweeping ITB

That would be great. ;) Thanks.

Magan Waltari, CPPB
Procurement & Grants Coordinator
Disadvantaged Business Enterprise Liaison Officer
[Whatcom Transportation Authority](#)
Office: (360) 788-9332

E-mail to and from this address may be subject to public disclosure under Washington's Public Records Act.

From: Cindy Campen <CindyC@ridewta.com>
Sent: Thursday, February 7, 2019 11:28 PM

Magan Waltari

From: Sara Winger <SWinger@co.whatcom.wa.us>
Sent: Monday, April 1, 2019 1:25 PM
To: Magan Waltari
Cc: Connie Allen; Serier, Matt L.
Subject: [EXTERNAL] RE: Vactor Truck and Sweeping Costs
Attachments: 15-43_baysidesvc.pdf

Hi Magan – Whatcom County does most of the vactor/sweeping using our own equipment and forces. We do maintain a contract #201507014 with Bayside Services for the Lake Whatcom and Lake Samish watershed areas which is on its 3rd and final amendment, expiring in June (coincidentally, I received the draft bid from our Public Works Department this morning). I've attached their bid proposal from 2015, and the complete contract can be accessed on our [Online Contract Search](#). For easy reference, the compensation is as follows: