



Purchasing Use Only:	
Approval#:	161105

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

1a	Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:			
	State Agency:	<i>Agriculture – Food & Nutrition</i>		
		<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
		<i>Mark Stone, Management Analyst II</i>	<i>775-353-3629</i>	<i>m.stone@agri.nv.gov</i>

Vendor Information:		
1b	Identify Vendor:	<i>Reddy Ice Corporation dba Las Vegas Cold Storage</i>
	Contact Name:	<i>Jim Sisco</i>
	Address:	<i>1201 Searles Ave, Las Vegas, NV 89101-1199</i>
	Telephone Number:	<i>702-649-8002</i>
	Email Address:	<i>jsisco@reddyice.com</i>

1c	Type of Waiver Requested – Check the appropriate type:	
	Sole or Single Source:	<input checked="" type="checkbox"/>
	Professional Service Exemption:	<input type="checkbox"/>

Contract Information:					
1d	Is this a new Contract?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
	Amendment:	#			
	CETS:	#			

1e	Term:			
	One (1) Time Purchase:	<input type="checkbox"/>		
	Contract:	Start Date:	<i>7/01/16</i>	End Date:

1f	Funding:	
	State Appropriated:	
	Federal Funds:	<i>75%</i>
	Grant Funds:	
	Other (Explain):	<i>25% Program Funding</i>

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	<i>\$152,000.00</i>

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	<i>We are contracting for full-Service Cold Storage for USDA Foods that must be distributed by three Food Distribution Programs in the Las Vegas area. We are requesting this waiver while Purchasing is completing the RFP for this service.</i>

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	<i>This is currently the Cold Storage Vendor that meets all the current needs of the agency, including full-service. The vendor provides service to: receive and count pallets of food, breakdown, reconfigure and restack pallets per order, wrap the pallets in plastic for safety, provide a monthly inventory of product on hand and load on Agency Trucks in a timely fashion to meet just-in-time delivery requirements.</i>

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	<i>In our efforts to secure this service, we attempted to contact another vendor that could potentially offer some of the services and they never returned our calls. We have also contacted Three Square and Clark County School District and are unable to assist us due to lack of space. So in our experience, there is currently no other full-service Cold Storage facility in Las Vegas that we can use. If the Department of Agriculture were to store the USDA Food supplies in another facility, the Department would have to hire full and part-time staff to oversee the facility and provide all the services that the vendor currently provides. The economic cost would be far greater to have the Department maintain a separate and distinct Cold Storage Warehouse with its own staff.</i>

5	Were alternative services or commodities evaluated? Check One. Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.</i>
	<i>As mentioned in question 4, other Cold Storage Facilities in the Las Vegas area were researched and called, none that we could find offered the full services that Las Vegas Cold Storage offered in the way of breaking, reconfiguring, and restacking pallets for trans-shipment nor did they have space and capacity.</i>
	b. <i>If not, why were alternatives not evaluated?</i>

6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers MUST accompany this request. Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>															
	a. <i>If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>															
	<table border="1"> <thead> <tr> <th colspan="2">Term Start and End Dates</th> <th>Value</th> <th>Short Description</th> <th>Type of Procurement (RFP#, RFQ#, Waiver #)</th> </tr> </thead> <tbody> <tr> <td>10/11/11</td> <td>06/30/13</td> <td>\$150,000</td> <td>Cold Storage</td> <td>RFP#1919</td> </tr> <tr> <td>03/22/06</td> <td>10/31/11</td> <td>\$450,000</td> <td>Cold Storage</td> <td>RFP – Unknown, Previously commodity</td> </tr> </tbody> </table>	Term Start and End Dates		Value	Short Description	Type of Procurement (RFP#, RFQ#, Waiver #)	10/11/11	06/30/13	\$150,000	Cold Storage	RFP#1919	03/22/06	10/31/11	\$450,000	Cold Storage	RFP – Unknown, Previously commodity
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					<i>foods program</i>
	<i>09/09/14</i>	<i>06/30/16</i>	<i>\$138,250</i>	<i>Cold Storage</i>	<i>Waiver#140601</i>
			<i>\$</i>		
			<i>\$</i>		

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
	<i>If the State could not provide cold storage, we would not be able to meet our obligations with regards to the USDA; this includes The Emergency Food Assistance Program (TEFAP) and the Commodity Supplemental Food Program (CSFP). It could be a financial loss and a loss of critical goods for our organization and citizens that use these programs.</i>

8	What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?
	<i>Other Cold Storage Facilities were called in Las Vegas to determine if full-services were available; they were not, and one did not even return our request; only the current vendor, Las Vegas Cold Storage, offered the services required and was willing to accommodate our needs.</i>

9	Will this purchase obligate the State to this vendor for future purchases? <u>Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u>	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	a. <i>If yes, please provide details regarding future obligations or needs.</i>				
	<i>Approval of this Waiver will enable the agency to continue having this service available while also allowing enough time to complete RFP process. Based on the outcome of the RFP process, if this vendor is chosen, we will be renewing with this vendor or if another vendor is chosen, we will execute a new contract with the new vendor.</i>				

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.

M. Stone

Agency Representative Initiating Request

Mark Stone

Print Name of Agency Representative Initiating Request

11/2/16

Date

Debra Crowley

Signature of Agency Head Authorizing Request

Debra Crowley

Print Name of Agency Head Authorizing Request

11/2/16

Date

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

Name of agency or entity who provided information or review:

Representative Providing Review

Print Name of Representative Providing Review

Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed:

J. H. [Signature]

Administrator, Purchasing Division or Designee

11-4-2016

Date