



Purchasing Use Only:	
Approval#:	161108

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

Revised pg. 1

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:	Department of Conservation and Natural Resources, Division of State Parks	
	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	Shannon McKnight, Staff II Engineer	775-684-2790	smcknight@parks.nv.gov

Vendor Information:	
1b	Identify Vendor: Overton Power District #5
	Contact Name: Brett Gale
	Address: P.O. Box 395, Overton, NV 89040-0395
	Telephone Number: 702-397-2512
	Email Address: bgale@opd5.com

1c		Type of Waiver Requested – Check the appropriate type:	
	Sole or Single Source:	Sole Source	
	Professional Service Exemption:		

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:				
	Contract:	Start Date:	November 2016	End Date:	February 2017

1f		Funding:			
	State Appropriated:				
	Federal Funds:				
	Grant Funds:				
	Other (Explain):	Valley of Fire State Park fee - Utility Surcharge	\$37,870.00	4605-19	

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:	\$ 37,870.00
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2	Provide a description of work/services to be performed or commodity/good to be purchased:
	Overton Power District No. 5 is the local utility company providing electricity to customers in the region. The existing project was pursued to replace primary power currently in storm drain channels. The wire cable which conveys electricity was buried at an unsafe depth, without any sleeving (conduit pipe). This project removes a potentially dangerous situation for Park Maintenance Staff, outside contractors and vendors. All of these people could be digging for and repairing other facilities when they encounter primary power at unknown depths and locations. This could be instantly fatal or cause severe permanent injury. The Park's electrical system has had some reliability issues as well, due to most utilities having been installed using non-standard construction practices of the past.

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	Overton Power District No. 5 is the local utility company providing electricity to customers in the region. OPD#5 is familiar with the existing electrical system, the State Park's electrical equipment is currently maintained by and in cooperation with OPD#5. OPD#5 also has property easements on the adjacent Lake Mead National Park, they are allowed to perform work adjacent to the State of Nevada property on federal property, which is where the main electrical feed for Valley of Fire State Park crosses.

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	Overton Power District No. 5 is the local utility company providing electricity to customers in the region. The Valley of Fire State Park is in a rural area, approximately 50 miles northeast of Las Vegas, NV. OPD#5 are responsible for the maintenance of the Valley of Fire State Park's electrical equipment. OPD#5 installs equipment per their own standard engineering details on the State's property in their Electrical District. OPD#5 will not guarantee electrical power transmission if other companies are used to install electrical equipment.

5	Were alternative services or commodities evaluated? Check One.	Yes:	<input type="checkbox"/>	No:	<input checked="" 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>				
	b. <i>If no, why were alternatives not evaluated?</i>				
	OPD#5 is the only electrical utility company who provides electrical power in the region.				

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>						
	<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver)</i>		
	12/7/2014	12/10/2014	\$825.00	Emergency repair to restore power	Emergency		
	7/7/2014	9/4/2014	\$5,000	Repair Failed power pole and power	Emergency		
12/2014	06/2015	\$439,493	Install conduit pipe, transformers, vaults and wire, remover overhead wire and posts.	Contract - waiver			
		\$					

	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
7	Overton Power District No. 5 is the local utility company providing electricity to customers in the region. We have installed new continuous high density polyethylene pipe in anticipation of the Overton Power District #5 pulling new wire cable through the conduit. The work in question needs to be performed as soon as possible. The rain and flood season is spring time in Southern Nevada. We seek to have this work wrapped up in February 2017.

	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?
8	The State has had other projects that involved electrical underground work by similar local utility companies (for example Lincoln County Power District No. 1) from which to compare current market costs.

	Will this purchase obligate the State to this vendor for future purchases? Check One.	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	<i>a. If yes, please provide details regarding future obligations or needs.</i>				
9	We anticipate that Valley of Fire State Park will be in operation, providing the citizens of Nevada and visitors a beautiful venue to drive, walk, hike and camp within, for a 100 years. The Park relies on electricity to provide services at a visitor center, a maintenance shop, 50 RV hook-up spots, and four ranger residences. At all of these facilities people are provided with electricity for water, light, food preparation, air conditioning, sanitation and routine park operations. Overton Power District No. 5 is the local utility company providing electricity to customers in the state park facilities.				

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.

A. McKnight

Agency Representative Initiating Request

SHANNON MCKNIGHT

Print Name of Agency Representative Initiating Request

11/29/16

Date

[Signature]
Signature of Agency Head Authorizing Request

ERIC JOHNSON

Print Name of Agency Head Authorizing Request

11/29/16

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

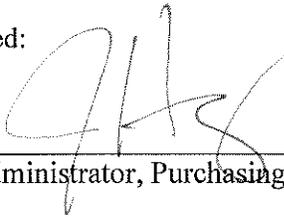
Print Name of Representative Providing Review

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:



Administrator, Purchasing Division or Designee

11-30-2016

Date