

State of Nevada
Department of Administration

Purchasing Division

515 E. Musser Street, Suite 300
Carson City, NV 89701



Brian Sandoval
Governor

Patrick Cates
Director

Jeffrey Haag
Administrator

Purchasing Use Only:

Approval#: 180902

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>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	Debra Crowley-Fiscal Administrator	775-353-3602	dcrowley@agri.nv.gov

1b	Vendor Information:	
	Identify Vendor:	Reddy Ice Corp DBA Las Vegas Cold Storage
	Contact Name:	Jim Sisco
	Address:	P.O. Box 730505, Dallas TX 75373-0505
	Telephone Number:	(702) 649-8002
Email Address:	jsisco@reddyice.com	

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

1d	Contract Information:			
	Is this a new Contract?	Yes	X	No
	Amendment:	#		
CETS:	#			

1e	Term:			
	One (1) Time Purchase:			
	Contract:	Start Date:	Upon BOE approval	End Date: 05/31/2019

1f	Funding:	
	State Appropriated:	
	Federal Funds:	X-50%
	Grant Funds:	
Other (Explain):	X-50% Program Fees	

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	\$33,750.00

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	NDA is contracting for a full-service cold storage facility in Las Vegas to store USDA commodities for our National School Lunch Program (NSLP), Commodity Supplemental Food Program (CSFP), Child & Adult Care Food Program (CACFP) and Nutrition Service Incentive Program. (NSIP)

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	Reddy Ice Corp. currently provides a full-service cold storage facility for our Las Vegas (Southern) USDA programs. The vendor provides the following services: receiving commodities from USDA suppliers, pulling and loading commodity when NDA trucks arrive for weekly routes, and monthly physical inventory counts.

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	An RFA was posted by NDA, as well as two (2) RFP's by State Purchasing. No vendors have chosen to complete the online RFP application. NDA has also received a finding on our USDA management evaluation of the CSFP program. "NDA must establish an interim contract with the current storage facility or establish a temporary contract with another warehouse to store USDA foods." (See attached FFY 2018 Nevada CSFP Management Evaluation)

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>				
	Several cold storage facilities were contacted in the Las Vegas area, but they all chose not to complete the proposal. (Americold Logistics, Cold Storage Solution, Las Vegas Cold Storage)				
	b. <i>If not, w(hy 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 <u>ALL</u> previous waivers <u>MUST</u> 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>			
	7/01/2016	6/30/2017	\$152,000.00	Full Service cold storage	Waiver #161105			
	9/09/2014	6/30/2016	\$136,471.60	Full Service cold storage	Waiver #140601			
	10/11/2011	6/30/2013	\$150,000.00	Full Service cold storage	RFP #1919-not in file			
	03/22/2006	10/31/2011	\$450,000.00	Full Service cold storage	Unable to locate			

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
	NDA would not be able to comply with USDA requirements for establishing a contract with a cold storage vendor and ultimately we would not be able to meet our obligations. This could create a loss of critical commodities for our department as well as the recipients who utilize these programs.

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?
	NDA completed one (1) RFA, State Purchasing has completed two (2) RFP's in the Las Vegas area and was notified in September 2018 to begin a third RFP. No vendors have completed the application.

	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:	X	No:	
9	<p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p> <p>Approval of this waiver and subsequent contract will allow NDA to continue the service of providing USDA commodities for our (NSLP), (CSFP), (CACFP) and (NSIP) programs. During this six (6) month waiver State Purchasing is going to complete a third (3) RFP. If no vendors complete the online proposal, we will have the option to extend this waiver for a total of four years.</p>				

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.

Homa Anooshehpour

Agency Representative Initiating Request

H. Anooshehpour

Homa Anooshehpour-Representative Initiating Request

9/11/18

Date

Debra Crowley

Signature of Agency Head Authorizing Request

9/11/18

Debra Crowley-Agency Head Authorizing Request

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

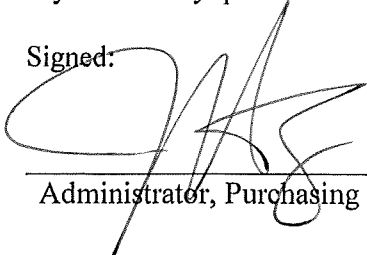
Print Name of Representative Providing Review

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

9-11-2018

Date