



Purchasing Use Only:	
Approval#:	180903

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

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

Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:			
State Agency:			
1a	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	<i>Jeff Greenblat</i>	<i>775-834-8402</i>	<i>jgreenblat@dot.nv.gov</i>
	<i>Operations Manager Equipment Division</i>		

Vendor Information:	
1b	Identify Vendor: <i>BearCat Manufacturing</i>
	Contact Name: <i>Mike McCarty</i>
	Address: <i>3650 Sabin Brown Road Wickenburg, AZ 85390</i>
	Telephone Number: <i>928-684-7851</i>
	Email Address: <i>mmccarty@bearcatmfg.com</i>

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

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

1e					Term: 3 Year Agreement
One (1) Time Purchase:					
Contract:		Start Date:	<i>October 1st, 2018</i>	End Date:	<i>October 1st, 2021</i>

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

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	<i>\$500,000.00</i>

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	<i>Units are completely disassembled and inspected to identify items for maintenance repair and or replacement. Items and componentry included on these refurbishments are but not limited to; the Product Tank, Spray Bar and Spray Bar Controls, Meters and Gauges, 4-Way Remote Operated Mirror, Computerized Rate Control, Product Pump and Pump Drive, Asphalt Valve Selector, Piping Valve and Screens, External Wash Down, Pump and Spray Bar Flushing, Hand Spray, Fenders and Trough, Paint, and Tool Box.</i>

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	<i>BearCat is the manufacturer and does not support a dealer distributor network, dealing direct with all end users. The factory is the sole source for all BearCat product, equipment sales, parts sales, service, warranty and training. Further they stipulate that using any other source and or vendor will void any implied warranty. (See attached letter from BearCat)</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>BearCat is the manufacturer and does not support a dealer distributor network, dealing direct with all end users. The factory is the sole source for all BearCat product, equipment sales, parts sales, service, warranty and training. Further they stipulate that using any other source and or vendor will void any implied warranty. (See attached letter from BearCat)</i>

5	Were alternative services or commodities evaluated? Check One.	Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/> NO
	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 not, why were alternatives not evaluated?</i>				
	<i>BearCat is the manufacturer and does not support a dealer distributor network, dealing direct with all end users. The factory is the sole source for all BearCat product, equipment sales, parts sales, service, warranty and training. Further they stipulate that using any other source and or vendor will void any implied warranty. (See attached letter from BearCat)</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"/> YES	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>			
		\$79,570.00	Modify Distributor Unit 1593	PC68072			
	\$79,570.00	Modify Distributor Unit 1613	PC68074				

		\$24,624.71	Modify Distributor Unit 2464	PC68354
		\$81,680.00	Rebuild Distributor Unit 1688	PC69855
		\$81,680.00	Rebuild Distributor Unit 2315	PC69856

7	<p>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</p>
	<p><i>Betterment projects to maintain the surface conditions on the highways will be delayed, making the roadways unsafe. It is more cost effective to refurbish and maintain these types of units, considering the initial investment, complete replacement costs and limited equipment replacement funding.</i></p>

8	<p>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?</p>
	<p><i>BearCat is the manufacturer and does not support a dealer distributor network, dealing direct with all end users. The factory is the sole source for all BearCat product, equipment sales, parts sales, service, warranty and training. Further they stipulate that using any other source and or vendor will void any implied warranty. (See attached letter from BearCat)</i></p>

9	<p>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></p>	Yes:	YES	No:	
	<p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p> <p><i>The situations or refurbishment opportunities are based on the condition of each unit and funding. As of today, there are a minimum of 3 units that will require refurbishment in the next 3 years. Additionally, this will ensure that our equipment warranties remain in tack.</i></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.

Jeff Greenblat
Agency Representative Initiating Request

Jeff Greenblat
Print Name of Agency Representative Initiating Request
09-13-18
Date

Wayne Miller
Signature of Agency Head Authorizing Request

Wayne Miller
Print Name of Agency Head Authorizing Request
09-13-18
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

* Agency Please
NOTE *

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: [Signature]
Administrator, Purchasing Division or Designee
9-13-2018
Date