



**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION**

Purchasing Division

515 East Musser Street, Suite 300 | Carson City, Nevada 89701
Phone: 775-684-0170 | Fax: 775-684-0188

Purchasing Use Only:	
Approval#:	210202 @

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 Name:	<i>Nevada Division of Forestry</i>		
		<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
		<i>Allyson Kellogg, Facility Support Manager</i>	<i>775-684-2513</i>	<i>akellogg@forestry.nv.gov</i>
		<i>Dori Chelini, Management Analyst III</i>	<i>775-684-2532</i>	<i>dochelini@forestry.nv.gov</i>

1b	Vendor Information:	
	Identify Vendor:	<i>Automated Temperature Controls, Inc.</i>
	Contact Name:	<i>Peter Sellman</i>
	Complete Address:	<i>8535 Double R Blvd., Reno, Nevada 89511</i>
	Telephone Number:	<i>775-826-7700</i>
	Email Address:	<i>Peter.sellman@atc-nv.com</i>

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

1d	Contract Information:			
	Is this a new Contract?	Yes	<input checked="" type="checkbox"/>	No
	Amendment:	#		
	CETS:	#17645		

1e	Term:			
	One (1) Time Purchase:			
	Contract:	Start Date:	<i>7/1/2021</i>	End Date:

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

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202020

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase: \$52,160.00
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2	Provide a description of work/services to be performed or commodity/good to be purchased: 1. <i>Elko Dispatch Center service.</i> 2. <i>Provide instruction/training of new control systems to NDF staff.</i>
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3	What are the unique features/qualifications required for this service or good that are not available from any other vendor: <i>Automated Temperature Controls, Inc. is the northern Nevada Delta Controls distributor and the regions sole source for inteliWEB building management software. Currently, the Elko Dispatch center's existing building control system is driven by Delta Controls inteliWEB enterprise software which was previously installed on the agency's servers and computers. The proposed contract will modify the existing building control system by adding features that will allow access and occupancy data to be collected and used to automatically adjust HVAC system functions as well as add federally mandated emergency dispatch center security features. The Elko Dispatch Center is a 24-hour emergency dispatch center. The HVAC system at the center is a complex system that requires constant monitoring to ensure efficient operation and prevent system failure which could potentially disrupt the operation of the center.</i>
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4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source: <i>The HVAC system at this dispatch center is very complex and, as such, requires the services of a professional vendor to ensure efficient operation and system failure prevention. This facilities existing building management system is driven by inteliWEB software which is proprietary to Delta Controls and distributed by Automated Temperature Controls, Inc. Currently NDF has the enterprise version of the inteliWEB software installed on the agency's servers and computers which allows staff to remotely access and control building functions as well as troubleshoot and diagnose problems. NDF currently has two facilities that are exclusively being controlled by inteliWEB software and the agency is requesting funding in the upcoming biennial budget.</i>
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	Were alternative services or commodities evaluated? Check One.	Yes:	<input checked="" type="checkbox"/>	No:	<input checked="" type="checkbox"/>
5	a. <i>If yes, what were they and why were they unacceptable? Please be specific about features, characteristics, requirements, capabilities and compatibility.</i> <i>NDF tried to evaluate alternative services/commodities, however the Department has Delta controls installed and it was determined that using Automated Temperature Controls, Inc. is the sole source vendor for this inteliWEB system in the western region. State has spent considerable funds to install the proprietary system.</i>				
	b. <i>If not, why were alternatives not evaluated?</i>				

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<p>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.</p>				Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
<p>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></p>							
6	Term Start and End Dates		Value	Short Description	Type of Procurement (RFP#, RFQ#, Waiver #)		
			\$				
			\$				
			\$				
			\$				
			\$				

<p>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</p>	
7	<p><i>The Nevada Division of Forestry has spent considerable funds regarding the current system in place. The system is proprietary and NDF should use Delta's maintenance exclusive to Delta controls. Another vendor would not be appropriate to use as Delta is the only source for maintenance in region per the attached memorandum.</i></p>

<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>	
8	<p><i>The Division of Forestry with the assistance of the State Public Works Division has researched other similar building control systems. It was determined that adding these two new functions to the existing Delta inteliWEB building control system would be a substantial cost savings to the state.</i></p>

<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:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
<p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p>							
9	<p><i>In the event the agency will require further services from this vendor in the future or until current system reaches end of life, the state will require support for the system and a new approval request will be submitted.</i></p>						

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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.

Allyson Kellogg
Agency Representative Initiating Request

Allyson Kellogg, Support Services Manager
Print Name of Agency Representative Initiating Request

2/02/21
Date

Kacey Kc
Signature of Agency Head Authorizing Request

Kacey Kc, State Forester/Firewarden
Print Name of Agency Head Authorizing Request

2/3/21
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 or 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 333.700(7), 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.

Approved by:

Kevin D. Doty

Administrator, Purchasing Division or Designee

2/9/21
Date

17850 - 56th Avenue
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02 February 2021

Allyson Kellogg | Support Service Program Manager
Department of Conservation and Natural Resources
Nevada Division of Forestry
2478 Fairview Dr.
Carson City, NV 89701

Subject: Delta Controls' Partner – Automated Temperature Controls, Inc. (ATC)

Delta Controls has developed an outstanding reputation in the DDC marketplace based on the quality of its products and through the careful selection of its distributors.

Please be advised that Automated Temperature Controls, Inc. is the exclusive Delta Partner for Carson City in the State of Nevada, and is committed to excellence in all aspects of the project delivery system. This is a business relationship that is valued and will remain in effect as per our Delta Distributorship Agreement. The Nevada market represents an important component of our marketplace and Delta Controls and Automated Temperature Controls, Inc. are committed to excellence in all aspects of delivering a fully functional and successful building automation system.

As part of the Delta Controls commitment to our distributors and their clients, we are dedicated to guaranteeing the support of our products through:

- Forward/backward compatibility pathways to legacy systems
- Long term guaranteed product functionality
- Factory technical support and training
- System Solution quality control via ISO 9001:2015

At Delta Controls we are more than proud of our prominence among our rivals. Largely because this position stems from an acute sensitivity to market needs like yours, and dedicated distributors like Automated Temperature Controls, Inc. with a commitment to excellence in installation and service.

Regards,

A handwritten signature in black ink, appearing to read "Robert Hemmerdinger", with a long horizontal flourish extending to the right.

Robert Hemmerdinger
Chief Sales & Marketing Officer
Delta Controls Inc.