

## SOLE SOURCE REQUEST AND DETERMINATION FORM

This form must be forwarded to the Accounts Coordinator for the Santa Fe Solid Waste Management Agency (SFSWMA) for processing.

Date: 2/5/2020

Prepared By: Danita S. Boettner

Title: Landfill Manager

Vendor Name: Mega Corp, Inc.

Address: 700 Osuna Rd. NE

City: Albuquerque

State: NM

Zip Code: 87113

Estimated Cost: \$60,000

Term of Contract: One year from the date of award.

### Description of Good/Service to be Procured:

1. Explain why this is the only available source that can meet the needs of your department.

The SFSWMA has three water wagons (two CAT water wagon 613C and one 621G) purchased as approved by the Joint Powers Board for leachate management and dust control at the Caja del Rio Landfill. Mega Corp is the manufacturer of the tank bodies and spray assemblies for use with the Caterpillar (CAT) scraper machine engines and drives. Mega Corp is the sole source manufacturer and provider of Mega Corp branded water tank equipment and support parts in the United States. Mega Corp's parts and technical support are associated with the tank bodies, pumps and spray assemblies, which are designed to properly position the payload and tank center of gravity within Caterpillar's scraper specifications for scraper axle weight distribution and the gross machine weight. Mega Corp also provides labor and structural technical assistance for diagnostics, repair, and replacement of parts for ongoing maintenance of the Mega Corp tank bodies and spray assemblies.

2. Explain why this vendor is the only available source from which to obtain this product of service.

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The company has affirmed (memo from vendor is attached) that there is no other source for this item. Our search for possible vendors proved unsuccessful; or

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Other reason, please explain in full. Attach additional sheets, if necessary.

3. Explain why the price is considered fair and reasonable.

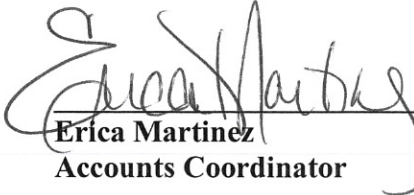
Mega Corp bodies and assemblies contain proprietary knowledge and manufacturing techniques for several parts. Most parts are equipment specific. By accessing directly with Mega Corp, the SFSWMA gain access to the extensive knowledge (technical assistance) of the specified equipment, including the necessary specifications to fabricate replacement parts, minimized labor, and efficient service. The use of other manufacturers of these types of equipment would likely be incompatible and would, therefore, require more extensive modification than necessary to repair the equipment; thus the probable cost of maintenance and repair of the Mega Corp bodies by other vendors is likely to be higher. Therefore, the use of Mega Corp for parts, labor, service and technical support will minimize the costs for maintenance and repair of the tank bodies, pumps and spray assemblies.

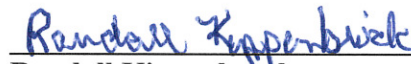
4. Describe the efforts made to obtain the best possible price from this sole source vendor for the taxpayers. What (if any) is the total cost savings from the original quote? (Attach additional sheets, if necessary.)

The SFSWMA finds Mega Corp to have the best possible price for their technical support, service, labor, and timeliness of parts delivery due to their proprietary manufacturing techniques and holding several patents, copyrights, and trademark registrations. There are no other vendors or providers in the United States or New Mexico that can provide the necessary parts, labor, and service for the multiple Mega Corp bodies and assemblies utilized for leachate management and dust control at the Caja del Rio Landfill.

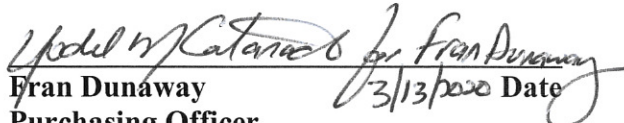
**Approvals:**


Based on the above facts, the Accounts Coordinator for the SFSWMA has made the determination that the justification for the Sole Source procurement is in accordance with Section 13-1-126, NMSA 1978 and will be posted for a 30-day period prior to award.

 2/10/20  
Erica Martinez  
Accounts Coordinator

 2/10/20  
Randall Kippenbrock  
SFSWMA Executive Director

Pursuant to Section 13-1-126, NMSA 1978, the 30-day posting period of the Notice of Intent to Award this Sole Source request was met and no obligation to the award to the above referenced contractor were received. This Sole Source determination will be valid for a period of one (1) year from the date of the award.

 3/13/20  
Fran Dunaway  
Purchasing Officer  
City of Santa Fe - SFSWMA Fiscal Agent

 3/13/20  
Randall Kippenbrock  
SFSWMA Executive Director

 3/20/2020  
Date

**Joint Powers Board Chairperson**

**Required Attachments:**

- \*Letter from Contractor, if applicable
- \*Agenda Item to be presented to Joint Powers Board if over \$60,000 for Professional Services and \$60,000 for Goods and Non-Professional Services



P.O. Box 26146, Albuquerque, NM 87125 • 700 Osuna Rd. NE, Albuquerque, NM 87113 • U.S. 1-800-345-8889 • Direct 505-345-2661 • Fax 505-345-6190  
[www.megacorpinc.com](http://www.megacorpinc.com)

To Randall Kippenerock:

2/5/2020

Santa Fe Solid Waste Management  
149 Wildlife Way  
Santa Fe, NM 87506

Mega Corp is the sole source manufacturer and provider of Mega Corp branded water tank equipment and support parts in the United States. Mega Corp branded products and manufacturing techniques are proprietary and protected by several patents, copyrights, and trademark registrations. Therefore, no other vendor can supply Mega Corp products and service.

Mega Corp Products are custom designed and manufactured for very specialized equipment applications. Failure to use Mega Corp provided parts and established repair procedures on Mega manufactured tanks and components will cause reduced service life, increase equipment malfunctions, and cause premature failure.

For any additional information on Mega Corp or Mega Corp Branded products please visit our website at [www.megacorpinc.com](http://www.megacorpinc.com) or call us at 1-800-345-8889

Sincerely, Stephen Linn

A handwritten signature in cursive script, appearing to read "Stephen Linn".