



City of Santa Fe, New Mexico



SOLE SOURCE REQUEST AND DETERMINATION FORM

This sole source request form **must** be submitted to the City of Santa, Purchasing Division for authorization, determination and processing by the Chief Procurement Officer (CPO).

Please ensure to complete this form in its entirety - () must be completed.*

*Date: 2/25/2022

*Prepared By: Danita S. Boettner

*Title: Procurement Manager/Landfill Manager

*Vendor Name: Bandit Industries

*Address: 6750 Millbrook Road

*City: Remus

*State: MI

*Zip Code: 49340

*Description of Goods/Service to be procured:

*Estimated Cost: \$90,000 (Annually)

Term of Contract: One (1) to Four (4) year from award 4 Years

*Sole Source Request Justification Questions 1-3.

1. Explain the purpose/need of purchase. Ensure to include a thorough scope of work for the services, construction or items of tangible personal property (if this is an amendment request to an existing contract, attach current contract).

In 2003, the SFSWMA's Joint Powers Board approved the purchase of the 3680 Beast from Bandit Industries, Inc. for the green waste program (mulching operation) at the Caja del Rio Landfill (GSA Contract No. GS-30F-0015J). In 2006 the SFSWMA moved the green waste program to the Buckman Road Recycling and Transfer Station (BuRRT). Bandit Industries is the manufacturer of Beast wood grinders. Bandit is the sole source of parts and technical support. Bandit also provides labor for diagnostic, repair, and replacement of parts for ongoing maintenance of the Beast wood grinder machine. Bandit specific parts and support are procured on an as needed basis for equipment maintenance purposes.



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- 2. Provide a detailed explanation of the criteria developed and specified by the department as necessary to perform and/or fulfill the contract.

X

The contractor has affirmed sole source for the services, construction or items of tangible personal property (*Attach memo from vendor*). Provide documentation of due diligence for other possible vendors/contractors to provide the requested services/goods proved unsuccessful; or

Other: explanation of the reasons, qualifications, proprietary rights or unique capabilities (*unique and how this uniqueness is substantially related to the intended purpose of the contract*) of the prospective contractor that makes the prospective contractor *the one source* capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”) *Unique and how this uniqueness is substantially related to the intended purpose of the contract.*

N/A

- 3. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.

In 2003, the 3680 Beast horizontal wood grinder located at the Buckman Road Recycling and Transfer Station (BuRRT) under GSA Contract No. GS-30F-0015J from Bandit Industries, Inc. The Beast contains proprietary knowledge and manufacturing techniques for several parts. Most parts are equipment specific. By accessing directly with Bandit Industries, 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 Beast by other vendors is likely to be higher. Therefore, the use of Bandit Industries for parts, labor, service and technical support will minimize the costs for maintenance and repair of the Beast over the next four years. The SFSWMA finds Bandit Industries to have the best possible price for their technical support, service, labor, and timeliness of parts delivery due to the manufacturing of parts and holding several patents. There are no vendors or providers in New Mexico that can provide the necessary Bandit and Beast parts, labor, and service for the Beast horizontal wood grinder at BuRRT.




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***Approvals:**

Based on the above facts, the City of Santa Fe Purchasing Officer has made the determination that the justification for a Sole Source procurement is in accordance with the State Procurement Code, Section 13-1-126 Sole source procurement., NMSA 1978 and shall be posted for a 30-day period prior to award.


 Fran Dunaway (Mar 8, 2022 14:08 MST) Mar 8, 2022

 Fran Dunaway, CPO Date
 Purchasing Officer for the
 City of Santa Fe

Pursuant to the State Procurement Code, Section 13-1-126 Sole source procurement., NMSA 1978, the 30-day posting period of the Notice of Intent to Award this Sole Source request was met and no objections to the award to the above referenced contractor were received. *This Sole Source determination will be valid for a period of four (4) years from the date of the award.*


 Fran Dunaway (Apr 13, 2022 11:04 MDT)

 Fran Dunaway, CPO Date
 Purchasing Officer for the
 City of Santa Fe

***Required Attachments:**

- *Letter from Contractor acknowledging they are the only source (on their business letterhead and signed by the head of business or financial operations)*
- *Agenda item to be presented to SFSWMA's Joint Powers Board if over \$60,000 for Professional Services and \$60,000 for Goods and Non-Professional Services*



Bandit Industries, Inc.

6750 Millbrook Road
Remus, MI 49340
(800) 952-0178 or (989) 561-2270
WEBSITE: www.banditchippers.com

Employee Owned Company

February 02, 2022

Danita Boettner
Santa Fe Solid Waste Management Agency
149 Wildlife Way
Santa Fe, NM 8506-8342

Re: Sole source vendor statement

Bandit Industries Inc. and Smoracy LLC have merged with Bandit industries Inc. being the surviving company. Bandit Industries has acquired all existing patents held by Smoracy through the merger. Through these patents and other patents held by Bandit we have proprietary knowledge and manufacturing techniques which make us the sole source for several parts we manufacture and sell in relation to the manufacture, service, and on-going maintenance of Bandit and Beast equipment. Therefore, there are no other vendors or providers that can supply necessary Bandit and Beast parts, labor and service in New Mexico.

Thank you and please feel free to contact me if you have any questions or need additional information.

Sincerely,

William Zehnder
CFO/Controller
Bandit Industries Inc
989-561-2270 ext 779
bzehnder@banditchippers.com