



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

## Non-Competitive Selection Request

Date: 12/20/2023

Requisition Number: (8 characters)

Requestor Name: Mark E. Benno

Requestor Phone Number: 608-235-0758

Requestor Email: mbenno@madisonpubliclibrary.org

Fund: 1200 LIBRARY

Agency: 50 LIBRARY

- Major:
- 53\*\*\* Supplies/Goods
  - 541\*\* Utilities
  - 542\*\* Building/Facility Maintenance/Repair
  - 543\*\* Software/Equipment Maintenance/Repair
  - 544\*\* Public Works Maintenance/Repair
  - 545\*\* Training/HR-Related Services
  - 546\*\* Consulting/Professional Services
  - 548\*\* Grants/Loans/Insurance/Other Services

Total Purchase Amount: \$60,750.00

Vendor Name: North American Mechanical Inc

Product/Service Description: Supply part, Smardt Chiller Compressor

**\$50,000 and UNDER**  
This form will be sent to the Purchasing Supervisor for review.

**OVER \$50,000**  
Complete this form and draft a resolution using the sample resolutions provided by the City Attorney to your Budget Analyst. **Your resolution will not be added to the Finance Committee agenda without this form.**

**Check the box(es) for the exception criteria you feel are applicable:**

- 1. Public exigency (emergency) will not permit the delay incident to advertising or other competitive processes.
- 2. The services or goods required are available from only one person or firm (i.e., **true** sole source).
- 3. The services are for professional services to be provided by attorneys.
- 4. The services are to be rendered by a university, college, or other educational institution.
- 5. No acceptable bids have been received after formal advertising.
- 6. Service fees are established by law or professional code.

- 7. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant.
- 8. Otherwise authorized by law, rule, resolution, or regulation. Explain:
- If procurement is being paid with Federal or State grant funds, the vendor was identified by name in the approved Grant Application. (OPTIONAL)

### REASON FOR REQUEST

#### WHY A COMPETITIVE SELECTION PROCESS CANNOT BE USED:

Provide **detailed** explanation below. For a true sole source, provide all information to explain why this product or service can only be purchased from this vendor. For one-of-a-kind items not sold through distributors, explain the unique performance features of the product requested that are not available from any other product. For services, detail the unique qualifications this vendor possesses, or other reason(s) that meet the criteria selected above. Identify specific, measurable factors and qualifications.

North American Mechanical Inc, through the competitive bid process, won the Library's HVAC preventative maintenance contract. It is not feasible to require, through a bidding process which procures a part from a different vendor, to ask NAMI to service that product. In addition, the vendor currently has the vital part but a delay in this process could mean a delay in ensuring cooling for next summer at Central Library. Also, according to our accountant:

That makes this more of a supply than a service, we won't need a POS contract for the work. I'd say you should proceed with completing a non-competitive selection form for the purchase. We will only need to issue a PO for the labor and parts. Please also reference PO 23000244 which is for Central Library and PO 23000361 which is for all other libraries for which we are responsible for HVAC maintenance.

This chiller uses two compressors. Last year the Library Board unanimously approved sole source. If necessary we could ask them to approve this at their January 4th meeting. But considering that they unanimously did so and the part is so vital and difficult to procure, we'd appreciate non-competitive approval now, thank you.

### COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has paid NAMI a total of \$970,867 since 2015. All of the purchases have been non-competitively selected, with \$436,497 of the total made up of small purchases that individually fell under the threshold for competitive selection. The remaining \$534,370 were approved as non-competitively selected purchases.

Date:

Submit