



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

## Non-Competitive Selection Request

Date: 06/11/2024

Requisition Number: (8 characters)

Requestor Name: Dwaine Rundle, Sara Carrizal

Requestor Phone Number: 608-261-4000

Requestor Email: drundle@mononaterrace.com; scarrizal@mononaterrace.com

Fund: 2140 CONVENTION CENTER

Agency: 80 MONONA TERRACE COMM CONV CTR

- 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: \$92,725.00

Vendor Name: Johnson Controls, Inc.

Product/Service Description: HVAC equipment and technology service/maintenance

**\$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.

Johnson Controls, Inc. installed and has been servicing and maintaining everything that is used to operate our HVAC equipment and software systems since 1997. We have continued to contract with them because the software and technology is proprietary. This contract includes periodic upgrades and technical support for Metasys the software system that controls room temperatures and fans that move air throughout building. It also includes preferential treatment on service calls. It's a complex proprietary system of interconnecting parts and technology and requires a vendor that is familiar with our operations. We've negotiated a 3-year POS contract for a total of \$92,725 over the life of the POS.

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

The City of Madison has paid Johnson Controls, Inc. a total of \$582,934 since 2015. Of that, a \$100,000 contract was competitively selected using a cooperative purchasing agreement, \$215,824 was made up of many small purchases that were each under the threshold requiring competitive selection, and the remaining \$267,110 was non-competitively selected purchases.

Date:

Submit