



CITY OF NORTH PORT PROCUREMENT FORM COMPETITIVE EXEMPTIONS



Single Purchase (For current FY) **Change Order** **Amendment**

Blanket Purchase (Ongoing purchases for current FY)

DEPARTMENT/DIVISION UT / Water Treatment

REQUESTOR Rick Newkirk

Sections 2-403 of the City of North Port Procurement Code states that certain procurements shall not be subject to competitive requirements in the judgment of the Procurement Official.

A. Please describe all products and/or services to be procured under this exemption: The nature of the service requested is to design, obtain Florida Department of Environmental Protection (FDEP) Underground Injection Control (UIC) construction permitting, construction engineering inspection as directed by the City, start-up, cycle testing and FDEP operational permitting of permanent Aquifer, Storage and Recovery (ASR) well facilities at the City's Myakkahatchee Creek Water Treatment Plant.

B. Vendor Information

Vendor Name: Cardno, Inc.

Address: 3905 Crescent Park Drive, Riverview, FL 33578

Contact: David Kelly Phone: 813-257-0031 Email: DavidP.Kelly@cardno.com

Will the Vendor accept Visa Card/E-Payables for this transaction: yes no

Is there an additional fee charged for credit card payments? yes no

- If yes, complete and attach the Visa Purchase Request Form, if applicable.

C. Briefly explain why it is in the best interest of the City to exempt this procurement from competition: (If additional space is needed, please attached separate memo)

Requesting Waiver/Exemption of Competitive Procurement Process in the best interest of the City, for the reasons stated on attached.

D. Please provide the amount of the purchase for this product or service: \$ 160,675.00 in FY16-17 with an additional \$208,525.00 over the next two fiscal years for a total of \$369,200.

Account # 423-6061-533-6300 Project # U17ASR

Account # _____ Project # _____

Please provide the estimated fiscal year expenditure for this product or service: \$ 160,675.00



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E. Please select one of the following:

Piggyback (Departments may utilize another municipality, county, or other governmental agency contract). The requesting department must provide the following documentation: copy of the solicitation and addendum, tabsheet/price-sheet, vendor submittal, entity approval (either stated in the solicitation or letter from vendor) agenda approval and contract as back-up documentation. Purchasing may request additional information if needed.

Name of Entity: _____ Contract Number: _____

Start Date: _____ End Date: _____

Is a fee required to utilize this contract? Yes No If yes, how much? _____
_____ Vendor-Paid City-Paid

State of Florida Contract: The requesting department must provide the following documentation: copy of the tab sheet/price sheet, agenda approval and contract ***Further price negotiations may be conducted with state-awarded vendor per F.S. 287.056(2)***

Number : _____ Name/Category: _____

Start Date: _____ End Date: _____

Florida Sheriff's Association Bid: The requesting department must provide the following documentation: copy of the tab sheet/price sheet, agenda approval and contract

Number : _____ Name/Category: _____

Start Date: _____ End Date: _____

Joint Cooperative: The requesting department must provide the following documentation: copy of the solicitation and addendum, tab sheet/price sheet, vendor submittal, agenda approval and contract

Lead Entity: _____ Contract Number: _____

Start Date: _____ End Date: _____

Code Exemption* (Specify): _____

*For list of exemptions, see page 3



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Sec. 2-403. - Exemptions.

- (a) (2) Procurement contracts between the city and nonprofit organizations, other governments or other public entities.
- (3) Procurement of:
 - a. Dues and memberships in trade and professional organizations.
 - b. Subscriptions for periodicals, books, maps or training videos.
 - c. Real property, real estate brokering, or appraising.
 - d. Abstract of titles for real property; title insurance.
 - e. Works of art for public display or artistic services.
 - f. Advertising.
 - g. Medical, dental and other medically related services performed by a health care professional.
 - h. Room or board for social service clients.
 - i. Room and board for employees on city business.
 - j. Funeral related services.
 - k. Water, sewer, electrical, cable television or other utility services.
 - l. Personnel, including but not limited to part-time or temporary services.
 - m. Academic program reviews or lectures by individuals.
 - n. Auditing services and financial services.
 - o. Legal services.
 - p. Social services.
 - q. Lobbying services.
 - r. Goods, materials and equipment whose cost has been incorporated as part of a competitively bid project.

Other Exemption (not specified by code): Requesting Waiver/Exemption of Competitive Procurement Process per F.S. §255.20(c)7, as amended, so the project schedule for the ASR Permanent Facilities Project may be maintained for the timely performance and completion of design, permitting, construction and cycle test tasks required to continue to retain cooperative funding from the Southwest Florida Water Management District (SWFWMD).

(If additional space is needed, please attach separate memo)

Requesting Department Director's Signature: *Jeff Cassavina* Date: 11-29-16

Procurement Manager's Approval: _____ Date: _____

Finance Director's Approval (If applicable): _____ Date: _____

City Manager's Approval (If applicable): _____ Date: _____

Commission Meeting Date (if applicable): 12/13/16

Vendor Tracking:	
YTD Dept Exp. (Inclusive):	\$ _____
To be completed by Purchasing:	
YTD City Wide Exp. (Inclusive):	\$ _____



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City of North Port Competitive Exemption Request Form *Attachment*

- H. Other: None or some of the above apply. A detailed explanation and justification for this single/sole source request is attached to this form.**

Requesting Waiver/Exemption of Competitive Procurement Process in accordance with F.S. § 255.20(c) 7 as to be in the best interest of the City, for the following reasons.

1. Utilities is requesting a waiver of competitive procurement per F.S. §255.20(c)7, as amended, so the project schedule for the ASR Permanent Facilities Project may be maintained for the timely performance and completion of design, permitting, construction and cycle test tasks required to continue to retain cooperative funding from the Southwest Florida Water Management District (SWFWMD). The City's ASR well project began in 1998 with cooperative funding from the SWFWMD. Since that time, the City has applied for continued cooperative funding each year for the project, providing a project work plan, funding availability, and schedule of tasks and deadlines to completed each fiscal year. The information provided in each cooperative funding application forms the basis upon which each Cooperative Funding Agreement is based. The design and construction of the Permanent ASR Facilities was submitted to SWFWMD for cooperative funding consideration in October, 2015, with design to be completed in June of 2017 so permitting and bidding can be performed for construction to be completed in July 2018. The timing of the work plan is critical to the performance of Cycle Test 6, so the injection of water into the ASR well can be done during the rainy season for subsequent recovery. SWFWMD is currently finalizing the Cooperative Funding Agreement for this phase of the project and with the continued vacancy of the Utilities Engineer position, the City lacks the time and staff resources to develop technical specifications sufficient to issue competitive procurement documents for the design and engineering services for this phase of the project. If task deadlines are not met, the City's cooperative funding from SWFWMD for this fiscal year could be jeopardized, impacting funding consideration for future projects.
2. Cardno, Inc. (previously known as Cardno Entrix) has been the project consultant since its inception (in 1998) and as such the firm has intimate knowledge of all the historical design, testing, permitting, and compliance data on this project, as well as an excellent work history with the City.
 - a. Cardno, Inc. (Cardno) is ready to commence activities and has all the required working relationships (i.e. City/FDEP/SWFMWD) established, eliminating additional time/cost required for another consultant to be brought up to speed on the history of this project and historical data accumulation and review.
 - i. Approval of exemption will allow the City to begin the design and permit application within the anticipated SWFWMD contractual start date and be complete by the end date.



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3. Working with Cardno will enable the City to bid construction of the permanent facilities within the anticipated SWFWMD contractual start date and be complete by the end date. Working with Cardno will also enable the City to meet the permitting process deadlines as set by the Florida Department of Environmental Protection. Additionally, a commitment to spend the funds in an expedient manner in accordance with the requested fiscal year amounts is relied upon by SWFWMD in this contract and is used for future funding decisions. Requiring additional time/cost for competitive bidding will not allow the City to meet the anticipated contractual start dates and may not allow the City to meet the end dates, the permitting process deadlines or the spending commitment.
 - a. Cardno is willing to accept the City's Purchase Order Terms & Conditions.

4. SWFWMD has been overseeing this project and funding its design, construction, and monitoring since its inception and as part of that oversight, SWFWMD had to approve the City's selection of the project engineers. Given sufficient support, SWFWMD could approve a new consultant however, for the reasons noted above with respect to schedule, this is not in the best interest of the City.