

**SPECIAL PROCUREMENT
REQUEST FOR APPROVAL**

To: City Council, Local Contract Review Board
From: Mike Faught, Public Works Director
Date: July 14, 2010
Subject: REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

1. **Requesting Department Name:** Public Works

2. **Department Contact Name:** Mike Faught

3. **Type of Request:** Class Special Procurement Contract-specific Special Procurement

4. **Time Period Requested:** From July 1, 2010 To: June 30, 2013

5. **Total Estimated Cost:** < \$15,000

6. Supplies and/or Services or class of Supplies and/or Services to be acquired

See attached Almatek Quote and Product Literature

7. Background and Proposed Contracting Procedure: Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

See attached Council Communication Background Information

& Cost Comparison

8. **Justification for use of Special Procurement:** Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

Only this supplier mass-produces this design configuration, which was found to be of superior quality of workmanship and installation process.

9. **Findings to Satisfy the Required Standards:** This proposed special procurement:

X (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

Awarding will have no anticipated effect on competition for contracts or likelihood of favoritism of award of contracts.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); **and**

X (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

Life cycle cost of alternatives is substantially lower than similar alternatives

Warranty period is longer and initial cost is not substantially different than alternatives

(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); **or**

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

Is the most volunteer-friendly installation alternative, which is an important

Key to engaging public volunteerism and participation. Several different options

Are available that can be customized to the sophistication of volunteers installing

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

Public Notice:

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement. The Contracting Agency shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

Date Public Notice first appeared on www.ashland.or.us *[Enter date]*

PUBLIC NOTICE
Approval of a Special Procurement

First date of publication: *July 21, 2010*

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on July 20, 2010.

This Contract- specific special procurement is for the direct award (purchase) of Metal Storm Drain Markers from Almetek for a term of three (3) years, beginning July 1, 2010 and ending June 30, 2013.

[To be filled out after approval by City Council. Include the cost and describe how this procurement will benefit the City.]

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Ashland, Public Works, Mike Faught, 51 Winburn Way, Ashland, OR 97520. The seven (7) protest period will expire at 5:00pm on July 28, 2010.

This public notice is being published on the City's Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.

Authority to enter into a Special Procurement:

AMC 2.50.070 Procedures for Competitive Bids

All Public Contracts shall be based upon Competitive Bidding pursuant to ORS 279A - 279C and the Attorney General Model Rules, OAR Chapter 137 Divisions 46 - 49, except for the following:

G. Special procurements as set forth ORS 279B.085 and herein.

ORS 279B.085 Special procurements. (1) As used in this section and ORS 279B.400:

(a) "Class special procurement" means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a series of contracts over time for the acquisition of a specified class of goods or services.

(b) "Contract-specific special procurement" means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a single contract or a number of related contracts for the acquisition of specified goods or services on a one-time basis or for a single project.

(c) "Special procurement" means, unless the context requires otherwise, a class special procurement, a contract-specific special procurement or both.

(2) Except as provided in subsection (3) of this section, to seek approval of a special procurement, a contracting agency shall submit a written request to the Director of the Oregon Department of Administrative Services or the local contract review board, as applicable, that describes the proposed contracting procedure, the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth in subsection (4) of this section.

(3) When the contracting agency is the office of the Secretary of State or the office of the State Treasurer, to seek approval of a special procurement, the contracting agency shall submit a written request to the Secretary of State or the State Treasurer, as applicable, that describes the proposed contracting procedure, the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth in subsection (4) of this section.

(4) The director, a local contract review board, the Secretary of State or the State Treasurer may approve a special procurement if the director, board, Secretary of State or State Treasurer finds that a written request submitted under subsection (2) or (3) of this section demonstrates that the use of a special procurement as described in the request, or an alternative procedure prescribed by the director, board, Secretary of State or State Treasurer, will:

(a) Be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts; and

(b)(A) Result in substantial cost savings to the contracting agency or to the public; or

(B) Otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065 or 279B.070 or under any rules adopted thereunder.

(5) Public notice of the approval of a proposed special procurement must be given in the same manner as provided in ORS 279B.055 (4).

(6) If a contract is awarded through a special procurement, the contracting agency shall award the contract to the offeror whose offer the contracting agency determines in writing to be the most advantageous to the contracting agency.

(7) When the director, a local contract review board, the Secretary of State or the State Treasurer approves a class special procurement under this section, the contracting agency may award contracts to acquire goods or services within the class of goods or services in accordance with the terms of the approval without making a subsequent request for a special procurement. [2003 c.794 §57; 2005 c.103 §8d]

OAR 137-047-0285 Special Procurements

(1) Generally. A Contracting Agency may Award a Contract as a Special Procurement pursuant to the requirements of ORS 279B.085.

(2) Public Notice. A Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement. The Contracting Agency shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

(3) Protest. An Affected Person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0700.

Spread the Message of Water Conservation

STORM DRAIN MARKERS



**STAINLESS STEEL
ALUMINUM & BRASS**

Quality That Lasts a Lifetime.



2 Joy Drive, Hackettstown, NJ • 800-248-2080 • 908-850-9618 • www.almetek.com



INSTALLATION METHODS

Fast, Easy, Permanent and Theft-Resistant!

ADHESIVES



Use tube adhesive for either surface or sub-surface installation



Sub-Surface Installation with 4" Diameter Drill
Snow Plow Proof Installation



DCG Dripless caulking tube gun



SIKS-ADH
Sikaflex adhesive - 10.1 oz. tube.
Must be used in caulking tube gun



AAD4 Awesome Adhesive™
Pressure sensitive circles for surface mount only. Easy to apply, just press into exact position. Highest initial bond (never hardens). Apply in all weather and temp. 0°-120°F Packed 20 per carton.



SD-WB-1 Wire Brush with Handle



SD-AC Air in a Can
Non-Flammable
Zero Ozone Depletion

RIVET FASTENER

Theft-Proof/Surface Mount - 30-Year Warranty on Installation

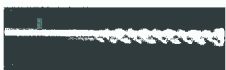


Use rivet for either surface or sub-surface installation.

SURFACE MOUNT



DR250 1/4" x 3/4" Drive Rivet-STDM



DB250 Drill 1/4" x 1" deep hole, insert rivet and drive with a hammer. A small amount of tube adhesive may be used.

SUB-SURFACE MOUNT



CDB-4 Carbide Drill Bit
With this bit, drill a hole approximately 1/8" into the surface, brush area insert Storm Drain Marker and rivet. Drive flush with a hammer. Tube adhesive may also be used.



Wet Concrete Installation
Stainless Steel, Male Welded Stud & Nut
3/4" x 1/4" x 20
(Back View)

BOLT-ON

Theft-Proof - 30-Year Warranty on Installation



Stainless Steel
Grate Fastener Option
For use with GM-4" Set



GM-4" set
Carriage bolt, washer,
nut & forged steel
backing plate.

Note: For road bed or grate installations where heavy traffic is expected, choose one of our low cost Stainless Steel markers in unpainted finish.

HOW TO ORDER

Easy to Order! Call Toll Free at 1-800-248-2080 or email csr@almetek.com

VISIT OUR ONLINE SHOPPING CART  AT WWW.ALMETEK.COM

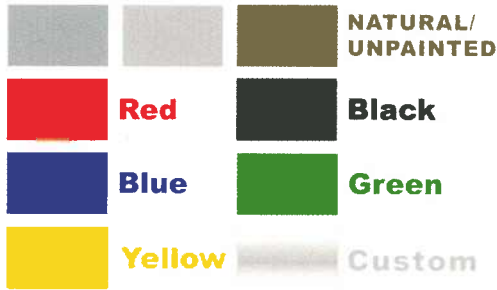


2 Joy Drive, Hackettstown, NJ
P: 908-850-9700 • F: 908-850-9618
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YOUR CHOICE:

COLOR



MATERIALS

- Stainless Steel
- Aluminum
- Anodized Aluminum
- Brass

LEGENDS

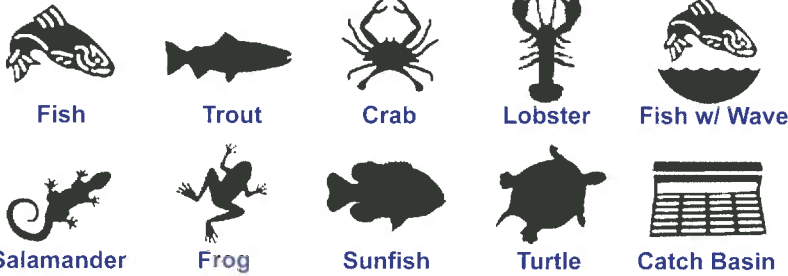
NO DUMPING -

- Drains to Bay
- Drains to Lake
- Drains to Stream
- Drains to Waterways
- Drains to Pond
- Drains to River
- Drains to Ocean
- Drains to Creek
- Drains to Wetlands
- Drains to Gulf

Only Rain in the Drain (Avall. in Spanish)

AND MORE!

Custom Legends and Symbols are available by our in-house Art & Die Departments.



Examples above are just some of the available Standard Symbols.
Call our Customer Service Dept. to inquire about additional choices.

SAMPLE MARKERS



Natural, 4" Disc
Material: Aluminum
Symbol: Fish



Natural, 4" Disc
Material: Brass
Symbol: Crab



Natural, 4" Disc
Material: Stainless Steel
Symbol: Fish



1 Color, 4" Disc
Material: Stainless Steel
Symbol: Fish
Option: Rivet Fastener



1 Color, 4" Disc
Material: Stainless Steel
Symbol: Catch Basin



2 Colors, 4" Disc
Material: Stainless Steel
Symbol: Lobster



1 Color, 4" Disc
Material: Aluminum
Symbol: Lobster



1 Color, 4" Disc
Material: Brass
Symbol: Crab



1 Color, 4" Disc
Material: Stainless Steel
Symbol: Fish
Option: Serialization



1 Color, 4" Disc
Material: Stainless Steel
Symbol: Trout

CUSTOM MARKERS



RECTANGULAR MARKER



1 Color, 3"x10" Rectangle
Material: Aluminum (Also Avail. in Stainless Steel)
Symbol: Trout

NEW!



1 Color, 2 1/8" Disc
Material: Avail in Stainless Steel, Anodized Aluminum & Brass
Standard & Custom Symbols, Colors & Legends Available

OUT-LASTS ALL OTHERS • THEFT RESISTANT • 30-YEAR WARRANTY

We're so confident in the permanence of our markers, we guarantee them for up to thirty years! Our attractive, four-inch disc, 3-D embossed, metal Storm Drain Markers are so strong they are virtually indestructible. You won't have to be concerned with them cracking, peeling, falling off, or being vandalized like plastic markers - ALMETEK'S markers are made with durability and longevity in mind.

THE PERFECT MARKER!

ALMETEK'S metal markers have been engineered to perfection. Through the use of high-tech, proprietary processes, we have developed a marker that installs easily and quickly, and will last for years to come. Our sub-surface mounting installation with the turned down edges will ensure against theft and snowplow displacement. This design, along with the sand blasting process to the backside of the marker, allows for maximum adhesion. We are so sure of this installation process, we will replace any missing marker with a brand new one, FREE OF CHARGE*. Markers can also be installed directly on the roadway, curb, storm drain grate or storm drain head.

THE PERFECT PRICE!

You may think you're saving money by purchasing plastic markers, however plastic will discolor, crack or break over time. The flat, smooth surface on the back does not provide a good adhesion point and makes them more susceptible to displacement or vandalism. A plastic marker may cost less initially, but in the long run, it will be more than three times as expensive. Why purchase something that is likely to need replacement after only a few years? With ALMETEK'S markers, there is only the initial purchase cost and no replacement costs for up to 30 years!**

NZ Patent No. 541955

STYLES

EnviroMark™



One-Piece
All Copy Embossed

EnviroMark Laser



Laser Engraved 2 1/8"
Aluminum Center Disc

EnviroDome™



UV Clear 2 1/8"
Multicolor Graphics Dome Center Disc
(Reflective Material Available)

**All Metal, Deep 3D Embossed • Sand-Blasted Matte Finish • UV Baked Enamel Paint (Up to 2 Colors or Natural)
• Virtually Indestructible • Easy to Install • High Visibility • Custom Designs Available**

AVAILABLE OPTIONS

- Stamped Sequential Numbers • Custom Stamped Town/City
- Square Punched Center Hole • Welded Male Stud External Thread

NOTE: CENTER HOLE ALLOWS FOR BOLT-ON GRATE INSTALLATIONS AS WELL AS DRIVE RIVET THEFT PROOF INSTALLATIONS



CUSTOM DEEP STAMPED



BACK VIEW - SAND-BLASTED



MALE WELDED STUD


*With Recessed Drill Installations
** See Installation Instructions

"EnviroMark™" and "EnviroDome™" logos as well as the ALMETEK name and logo are the sole trademarks of Almetek Industries Inc. and may not be used without express written consent.

STORM DRAIN MARKERS



- Fast Delivery
- Satisfaction Guaranteed
- Long Lasting
- Customer Support

ITEM NO.		<100 ea.	100+ ea.	500+ ea.	1000+ ea.
SD-AN	Aluminum, Natural, Embossed - 15-Year Warranty	\$ 1.95	\$ 1.65	\$ 1.55	\$ 1.50
SD-AP	Aluminum, Painted, Embossed - 15-Year Warranty	\$ 2.65	\$ 2.25	\$ 2.15	\$ 2.00
SD-SN	Stainless, Natural, Embossed - 30-Year Warranty	\$ 3.95	\$ 3.35	\$ 3.15	\$ 3.05
SD-SP	Stainless, Matte Finish, Painted, Embossed - 30-Year Warranty	\$ 4.75	\$ 4.05	\$ 3.85	\$ 3.70
SD-BN	Brass, Natural, Embossed - 30-Year Warranty	\$ 5.75	\$ 4.80	\$ 4.50	\$ 4.35
SD-BP	Brass, Painted, Embossed - 30-Year Warranty	\$ 6.45	\$ 5.40	\$ 5.10	\$ 4.85
	ADDITIONAL OPTIONS				
	Multicolor 2 1/8" dia. U.V. Domed Reflective Center	\$.90	\$.85	\$.80	\$.75
	Additional Background Color - (2nd Color)	\$ 1.05	\$ 1.00	\$.95	\$.90
	Consecutive Serial Numbers- 1/4" H, 6 Characters (stamped)	\$.90	\$.75	\$.65	\$.55
	Stamped or Engraved Copy- 3 lines, max. 30 Characters	\$ 1.30	\$ 1.05	\$.95	\$.90
	Square Hole for Mechanical Fastener or Carriage Bolt	\$.50	\$.40	\$.35	\$.30
	3" X 10" RECTANGULAR MARKERS				
STDM-8547-AN	Aluminum Natural, Embossed, 15-Year Warranty	\$ 2.95	\$ 2.65	\$ 2.55	\$ 2.50
STDM-8547-AP	Aluminum Painted, Embossed, 15-Year Warranty	\$ 3.90	\$ 3.50	\$ 3.40	\$ 3.25
STDM-8547-AA	Anodized Aluminum, Embossed, 15-Year Warranty	\$ 4.50	\$ 4.20	\$ 3.95	\$ 3.75
SD-5 X 2.75 SPD	2 3/4" X 5" DOMED RECTANGULAR MARKERS - 10-YEAR WARRANTY Stainless Steel, Natural Embossed	\$ 5.50	\$ 4.80	\$ 4.60	\$ 4.45
	ACCESSORIES				
SD-GLS	Safety Goggles	\$ 4.95	—	—	—
SD-DM	Dust Mask	\$ 4.95	—	—	—
SD-AC	Air-In-A-Can	\$ 9.75	—	—	—
SD-WB-1	Wire Brush	\$ 3.75	—	—	—
SD-MHW	Moist Hand Wipes (12/PK)	\$ 3.00	—	—	—
	FASTENERS				
DR250	1/4" x 3/4" Drive Rivet	\$.35	\$.30	\$.25	\$.20
WN-2", 4"	2" or 4" Bolt, 2 Nuts, 1 Washer [for wet concrete]	\$.55	\$.50	\$.45	\$.40
WS-4" SET	Threaded Welded Stud with 5" Rod & Backing plate	\$ 2.49	\$ 2.49	\$ 2.49	\$ 2.49
GM-4" SET	4" Carriage Bolt with Backing Plate [requires SDM w/hole]	\$ 1.95	\$ 1.95	\$ 1.95	\$ 1.95
CB-3", 4"	3" or 4" Bolt, Nut, Washer & Lock Back Plate (bolt-on install)	\$ 2.85	\$ 2.80	\$ 2.75	\$ 2.70
PVC-STAKE	6" PVC Ground Anchor Stake 	\$ 1.45	—	—	—
	ADHESIVE	1+ ea.	12+ ea.	96+ ea.	408+ ea.
SIKS-ADH	Tube Adhesive, 10.1 oz, 12 per case (1 tube for approx. 12 markers)	\$ 8.75	\$ 7.70	\$ 6.65	\$ 6.10
DCG	Dripless Caulking Gun (1-10 units)	\$ 7.40	—	—	—
AAD4	Awesome Adhesive P/S 4" disk (20/PK)	\$.70	\$.70	\$.65	\$.50
	TOOLS				
DB250	1/4" Carbide Bit (for surface mount)	\$16.50			
CDB-4	4" dia. Carbide Drill Bit (complete arbor)	\$99.65			

**FOR CUSTOM MARKERS
& LARGER QUANTITIES
CONSULT FACTORY.**

*Minimum Order \$100

NOTICE: Prices are subject to change without notice.
(NJ Residents add 7% sales tax)

STANDARD LEGENDS

NO DUMPING
DRAINS TO- RIVER SOUND
 BAY STREAM
 CREEK OCEAN
 LAKE WATERWAY
 WETLANDS GULF
ONLY RAIN IN THE DRAIN



Stamped or engraved
serialized numbers
are available.



Square hole option.

If You Identify With Quality, You Identify With Us.™

800-248-2080

www.almetek.com
9005-A05-0102J(10M0208)

908-850-9700
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Almetek Industries, Inc.
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