



## STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Chief Procurement Officer or, for Professional Services Agreements, the Secretary of the Department of Finance and Administration. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Name of Agency: *City of Las Vegas*

Agency Chief Procurement Officer: *Helen Vigil*

Telephone Number: *505-426-3345*

II. Name of prospective Contractor: *SNF Polydyne*

Address of prospective Contractor: *1 Chemical Plant Road  
Riceboro, GA 31323*

Amount of prospective contract: *\$10,000.00*

Term of prospective contract: *Yearly*

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

*Polydyne Clarifloc C-358, a polymer added to water during the drinking water treatment process.*

- IV. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

*The criteria to use Clarifloc C-358 was identified by lab comparison when first prescribed by Molzen Corbin engineering in 1996. The criteria were later confirmed by laboratory comparison by HDR engineering in 2015.*

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities 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.”)

Clarifloc C-358 was tested by engineering prior to its initial use when the clarification structure was built in 1996. The product was compared against other similar products by different makers and determined to be the best fit for the City’s treatment process in terms of efficacy. C-358 is a proprietary liquid polymer chemical blend that is only made by the Polydyne company. The effectiveness of C-358 was again tested by engineering in 2015, with the same results.

- VI. Provide a detailed sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/*are unique and how this uniqueness is substantially related to the intended purpose of the contract.*

*Clarifloc C-358 is a proprietary blend chemicals that is only produced by Polydyne. The City has put this product out to bid every year since 1996. The bid has always been awarded to Polydyne, as they are the only manufacturer of C-358.*

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

*Clarifloc C-358 was tested by engineering prior to its initial use when the clarification structure was built in 1996. The product was compared against other similar products by different makers and determined to be the best fit for the City's treatment process in terms of efficacy. C-358 is a proprietary liquid polymer chemical blend that is only made by the Polydyne company. The effectiveness of C-358 was again tested by engineering in 2015, with the same results.*

- VIII. Provide a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar services providers; and reviewing the State Purchasing Agent's vendor list. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

*Please see the above statement. If the City were to put C-358 out to bid, the winner would be Polydyne. This is the only manufacturer of this product. It is more advantageous to the City to award this product as a sole source.*


Certified by:

Date: 10/24/18

  
Department Director

Approved by:

Date: 10/25/2018

  
Procurement Officer

APPROVED:

Date: 10/25/18

  
Finance Director (Interim)



Emailed to: [jesus@lasvegasnm.gov](mailto:jesus@lasvegasnm.gov)

October 15, 2018

Mr. Jesus Hathaway  
City of Las Vegas WTP  
385 NM Highway 65  
Montezuma, NM 87701

RE: Sole Source Letter

Dear Mr. Hathaway:

We trust this letter will serve your needs in defining Polydyne Inc. as the sole source manufacturer and supplier of the following products supplied to the City of Las Vegas:

PRODUCT	UNIT PRICE	PACKAGE
CLARIFLOC® C-358	\$0.75/LB DELIVERED	450 LB DRUMS (APPROXIMATELY 40 PER YEAR)

Quotation Period: October 15, 2018 through October 14, 2019

Payment Terms: Net 30 days – No Discounts

The molecular structure, molecular weight, and particular raw material component are unique to Polydyne's Clarifloc® product line. Clarifloc® is Polydyne's trademark and no other vendor is authorized to supply these products.

If you have any questions, please feel free to contact Brent SoRelle, Technical Sales Representative, at (682) 216-5062 or me at (912) 880-2055. To place an order, please call our Customer Service Department at (800) 848-7659 or visit our website at [www.polydyneinc.com](http://www.polydyneinc.com).

Best regards,

Boyd Stanley  
Business Director