



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

**To: Patti McLauchlin, City Manager  
Christina Bernaldi, Interim Finance Director**

**From: Steve Gardner**

**Date: April 18, 2022**

**Reference: Ferric Tank Replacement**

Pursuant to purchasing Code 2-844 relating to Brand Name Specifications, "Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Agent makes a written determination that only the identified brand name item will satisfy the City's needs."

Additionally, "The Purchasing Agent shall seek to identify sources from which the designated brand name item can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under the sole source procurement provisions of section 2-797".

In this case, the sole source vendor, Plas-Tank Industries, Inc. provided a quote for two in kind replacement tanks with identical pipe connection penetrations and tank size that will fit to the current Plas-Tanks foundation and connections. It is at the recommendation of Perez Engineering & Development, Inc. that the tanks be replaced in kind with Plas-Tank tanks. Replacing with in-kind tanks substantially reduces the down time for reconnection and costs associated with redesign

Purchasing Code 2-797 (1) b. states, "A contract may be awarded without competition when the department head makes a written determination and the purchasing agent verifies that, after conducting a good faith review of available sources, there is only one source for the required commodity or contractual service."

After a good faith review, this confirms that Plas-Tank Industries has replacement products that is a sole source to match the exact layout of the existing operation that satisfies the City's needs.

04/18/2022

Date

4/18/2022

Approved by Jessica Durocher  
Purchasing Agent

Date