

**To: Jim Scholl, City Manager
Mark Finigan, Asst. City Manager
David Fernandez, Asst. City Manager**

From: Mark Tait, Marina Manager

Date: May 19, 2010

Reference: Replacing remaining power pedestals and transformers on the docks of Key West Bight Marina damaged by Hurricane Wilma not replaced by FEMA


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".

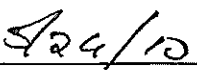
In this case, Marina Power, Inc. is the manufacturer of the Marina Power pedestals and transformers that are designed specifically to meet FEMA mitigation requirements and are used exclusively at Key West Bight Marina.

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."

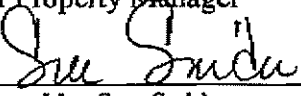
After a good faith review, this confirms that Marina Power Inc is the sole manufacturer of these specific Marina Power transformers and power pedestals.




Approved by Marilyn Wilbarger,
Senior Property Manager



Date



Approved by Sue Snider,
Purchasing Agent



Date