



# THE CITY OF KEY WEST

## Utilities Department

1300 White Street, Key West, FL 33040

To: Patti McLaughlin, City Manager

From: John P. Castro, Utilities Director

Date: 11/22/2021

Reference: Purchase of four elliptical control valves for the aeration system at Richard A. Heyman Environmental Protection Facility

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 sale source procurement provisions of section 2-797".

In this case, the sole source vendor, Kershner Environmental Technologies, LLC, is the sole distributor of Binder Engineering GmbH manufactured elliptical control valves of make and model that consultants have researched on the behalf of the City of Key West. Other makes and models of this style do not offer the level of control needed to realize the cost benefits as outlined in the report produced by the City's consultant.

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 Kershner Environmental Technologies, LLC is the only authorized distributor of VACOMASS Elliptic Diaphragm Control Valves. Purchasing this make and model of control valves is in the best interest of the City of Key West.

  
Approved by John P. Castro  
Utilities Director

  
Date

  
Approved by Dave Sermak  
Purchasing Agent

  
11/29/21