



## THE CITY OF KEY WEST

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**To: Patti McLaughlin, City Manager  
Mark Finigan, Finance Director**

**From: Michael Turner, Deputy Director of Community Services**

**Date: February 15, 2022**

**Reference: 22-2220: Approving the sole source purchase and installation of the brand name KBI Flexi®-Pave from K.B. Industries, Inc. for the Resurfacing of the Playground Area at Truman Waterfront Park**

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".


KBI Flexi®-Pave is the only flexi-pave product on the market that has proven heat resilient testing. The material is resistant to salt water, porous to precipitation with an 18-22% dynamic flexible void capacity, and is able to withstand continual daily foot, bicycle, wheelchair and rollerblading use. In addition, KBI Flexi®-Pave has proven itself more durable to our climate and continual use needs than other Flexi-pave products the City has utilized in the past. K.B. Industries, Inc. is the sole source vendor, manufacturer, and distributor of KBI Flexi®-Pave.

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 KBI Flexi®-Pave, provided by K.B. Industries, Inc., is the sole source product that has unique testing and characteristics that satisfy the City's needs.

  
Michael Turner  
Deputy Director Community Services

  
Date

  
Approved by Jessica Durocher  
Purchasing Agent

  
Date

*Key to the Caribbean -- average yearly temperature 77 ° Fahrenheit.*

MEMORANDUM



Smarter Materials for Next Generation Infrastructure™

This letter is provided for a "Sole Source Purchase" of K.B. Industries proprietary product KBI Flexi®-Pave. The "KBI FLEXI®-PAVE PROCESS" is the original "POROUS PAVEMENT" on the market utilizing a recycled passenger tire and stone aggregate mix. There is not another product on the market with the same porous construction and dynamic capabilities like "KBI FLEXI®-PAVE". The characteristics and testing listed below make KBI Flexi®-Pave unique in the porous pavement technology market.

**Testing:**

- The material must adhere to ASTM C 666/C 666M- Freeze-Thaw Testing and show no cracks or breaks through 300 cycles of testing.
- The material must be considered "Highly Permeable" under FL DOT FM 5-565 Permeability Testing.
- The material must meet standards for Skid/Power Steering Resistance ISSA TB 100/ISSA TB 139.
- The material must have passed testing for Accelerated Weathering using ASTM 4788.
- The material must have passed Hamburg Loaded Wheel Testing TX DOT 242-E.
- The material must have passed Static Creep Testing TX DOT 231-E.
- The material must have met standards for Resilient Modulus Testing ASTM D 4123; measuring of subgrade material stiffness
- The material will be slip resistant and ADA compliant; meeting requirements for ASTM D 2047 testing.
- The material must be heat resilient in compliance with ASTM D 4123 testing.
- The material must be sound absorbent; meeting requirements for ASTM C423-09a / E795-05 testing.

**Characteristics:**

- The KBI certified installer is responsible for supplying and installing a warranted material that meets the following specifications: The material must consist of and utilize recycled tires; aggregate and binder.
- The material must be mixed directly at the installation site. Available for use after 24-hours.
- The material must be applied in such manner that it is completely free of joints or seams, provides impact absorption, is flexible to substrate movement and root growth.
- The material is to be porous to precipitation with an 18% - 22% dynamic flexible void capacity. The placement of material must be able to accommodate up a 30% slope.
- The material must withstand continual daily foot, bicycle, wheelchair and rollerblading use with light vehicular/low speed, 35-mph maximum.
- Application of the material will occur over various substrate materials with the majority of application occurring over natural earth. The product must retain durability over the various substrates.
- The material is available in a selection of color choices.
- The material shall be resistant to the following elements: transmission, hydraulic, and brake fluids, gasoline, diesel, saltwater, oil, chlorine, ozone, bromine, and muriatic acid.

**K.B. INDUSTRIES, INC.**

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