



# City of Santa Fe, New Mexico



## SOLE SOURCE REQUEST AND DETERMINATION FORM

This sole source request form **must** be submitted to the City of Santa, Purchasing Division for authorization, determination and processing by the Chief Procurement Officer (CPO).

*Please ensure to complete this form in its entirety - (\*) must be completed.*

\*Date: 2/25/2022

\*Prepared By: Danita S. Boettner

\*Title: Procurement Manager/Landfill Manager

\*Vendor Name: Mega Corp, Inc.

\*Address: 700 Osuna Rd. NE

\*City: Albuquerque

\*State: NM

\*Zip Code: 87113

\*Description of Goods/Service to be procured:

\*Estimated Cost: \$60,000 (Annually)

Term of Contract: One (1) to Four (4) year from award 4 Years

\*Sole Source Request Justification Questions 1-3.

1. Explain the purpose/need of purchase. Ensure to include a thorough scope of work for the services, construction or items of tangible personal property (if this is an amendment request to an existing contract, attach current contract).

The SFSWMA has three water wagons (two CAT water wagon 613C and one 621G) purchased as approved by the Joint Powers Board for leachate management and dust control at the Caja del Rio Landfill. Mega Corp is the manufacturer of the tank bodies and spray assemblies for use with the Caterpillar (CAT) scraper machine engines and drives. Mega Corp is the sole source manufacturer and provider of Mega Corp branded water tank equipment and support parts in the United States. Mega Corp's parts and technical support are associated with the tank bodies, pumps and spray assemblies, which are designed to properly position the payload and tank center of gravity within Caterpillar's scraper specifications for scraper axle weight distribution and the gross machine weight. Mega Corp also provides labor and structural technical assistance for diagnostics, repair, and replacement of parts for ongoing maintenance of the Mega Corp tank bodies and spray assemblies. Mega Corp specific parts and support are procured on an as needed basis for equipment maintenance purposes.



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2. Provide a detailed explanation of the criteria developed and specified by the department as necessary to perform and/or fulfill the contract.

X

The contractor has affirmed sole source for the services, construction or items of tangible personal property (*Attach memo from vendor*). Provide documentation of due diligence for other possible vendors/contractors to provide the requested services/goods proved unsuccessful; or

Other: explanation of the reasons, qualifications, proprietary rights or unique capabilities (*unique and how this uniqueness is substantially related to the intended purpose of the contract*) 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.”) *Unique and how this uniqueness is substantially related to the intended purpose of the contract.*

N/A

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

Mega Corp bodies and assemblies contain proprietary knowledge and manufacturing techniques for several parts. Most parts are equipment specific. By accessing directly with Mega Corp, the SFSWMA gain access to the extensive knowledge (technical assistance) of the specified equipment, including the necessary specifications to fabricate replacement parts, minimized labor, and efficient service. The use of other manufacturers of these types of equipment would likely be incompatible and would, therefore, require more extensive modification than necessary to repair the equipment; thus, the probable cost of maintenance and repair of the Mega Corp bodies by other vendors is likely to be higher. Therefore, the use of Mega Corp for parts, labor, service and technical support will minimize the costs for maintenance and repair of the tank bodies, pumps and spray assemblies over the next four years. The SFSWMA finds Mega Corp to have the best possible price for their technical support, service, labor, and timeliness of parts delivery due to their proprietary manufacturing techniques and holding several patents, copyrights, and trademark registrations. There are no other vendors or providers in the United States or New Mexico that can provide the necessary parts, labor, and service for the multiple Mega Corp bodies and assemblies utilized for leachate management and dust control at the Caja del Rio Landfill.




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**\*Approvals:**

Based on the above facts, the City of Santa Fe Purchasing Officer has made the determination that the justification for a Sole Source procurement is in accordance with the State Procurement Code, Section 13-1-126 Sole source procurement., NMSA 1978 and shall be posted for a 30-day period prior to award.

 Fran Dunaway (Mar 8, 2022 14:08 MST)	Mar 8, 2022
_____ Fran Dunaway, CPO Purchasing Officer for the City of Santa Fe	_____ Date

**Pursuant to the State Procurement Code, Section 13-1-126 Sole source procurement., NMSA 1978, the 30-day posting period of the Notice of Intent to Award this Sole Source request was met and no objections to the award to the above referenced contractor were received. *This Sole Source determination will be valid for a period of four (4) years from the date of the award.***

_____ Fran Dunaway, CPO Purchasing Officer for the City of Santa Fe	_____ Date
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**\*Required Attachments:**

- \*Letter from Contractor acknowledging they are the only source (on their business letterhead and signed by the head of business or financial operations)*
- \*Agenda item to be presented to SFSWMA's Joint Powers Board if over \$60,000 for Professional Services and \$60,000 for Goods and Non-Professional Services*



P.O. Box 26146, Albuquerque, NM 87125 • 700 Osuna Rd. NE, Albuquerque, NM 87113 • U.S. 1-800-345-8889 • Direct 505-345-2661 • Fax 505-345-6190

[www.megacorpinc.com](http://www.megacorpinc.com)

2 Feb 2022

To: Randall Kippenrock

Santa Fe Solid Waste Management  
149 Wildlife Way  
Santa Fe, NM 87506

Mega Corp is the sole source manufacturer and provider of Mega Corp branded water tank equipment and support parts in the United States. Mega Corp branded products and manufacturing techniques are proprietary and protected by several patents, copyrights, and trademark registrations. Therefore, only authorized OEM dealers can supply Mega Corp products and services

Mega Corp Products are custom designed and manufactured for very specialized equipment applications. Failure to use Mega Corp provided parts and established repair procedures on Mega manufactured tanks and components will cause reduced service life, increase equipment malfunctions, and cause premature failure.

For any additional information on Mega Corp or Mega Corp Branded products please visit our website at [www.megacorpinc.com](http://www.megacorpinc.com) or call us at 1-800-345-8889

Sincerely,

A handwritten signature in black ink, appearing to read "Norm Redenshek". The signature is fluid and cursive, with the first name "Norm" being particularly prominent.

Norm Redenshek  
Director – Product Support & Part Sales