

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

CONTRACT NO: RQ774777

CAPTION: Service & Maintenance for the Ecotech EC9800 Series of Trace Gas Analyzers

CONTRACTOR: American Ecotech

AGENCY: District Department of The Environment

Findings

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 & 1702

2. MINIMUM NEED:

The District Department of the Environment (DDOE) has a need to renew the service and maintenance plan on the NO_y, Trace CO, and Trace S0₂ gas analyzers. The purpose of the gas analyzer system is to monitor the air that the citizens of the District breathe and to determine the level of pollutants as specified by law in 40 CFR Part 58. The results are then sent out electronically to EPA, MWCOG, the media, and DDOE's web sites, so the public is informed about air quality in the District.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable cost is \$7,226.50.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. The sole source extension of the contract is the most advantageous method of fulfilling the District's need, when price, the need for continuity of services, and other factors are considered.
- B. The District requires continuity of monitoring and maintenance service with American Ecotech because DDOE must maintain operational service and maintenance of the gas analyzer. The analyzer is custom built and designed for the analysis of a specific class of air pollutants. Failure to maintain the equipment will prevent DDOE from meeting the air monitoring requirements mandated by the federal regulations stipulated in 40 CFR Part 58, and prevent DDOE from reporting the air quality information to the public. Thereby, District residents will not be informed when the air quality is good, moderate or

unhealthy which can be very dangerous for residents with asthma, heart or lung problems.

- C. American Ecotech is the sole source provider for parts, labor, and technical service for all their manufactured instruments. This company does not authorize any other party to service their instruments.
- D. Given this information, it is in the best interest of the District to renew the service agreement so that the equipment will operate as designed, and the air that District residents breathe can be monitored without disruption.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are correct and complete to the best of my knowledge.

Date

Christophe A.G. Tulou
Agency Director

7. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27DCMR 1304 and no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Robyn N. Johnson
Agency Contracting Officer
District Department of the Environment

DETERMINATION

Based upon the findings above, in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

Angela Turner
Commodity Manager, Goods/ Services
Office of Contracting & Procurement