DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT

USER AGENCY:	District Department of The Environment
PURCHASING AGENCY:	District Department of The Environment
CONTRACT NO:	RQ807549
CAPTION:	Maintenance for Pollutant Analyzer
PROPOSED CONTRACTOR:	Perkin Elmer LAS. Inc

Findings

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700 &1701

2. MINIMUM NEED:

The District Department of the Environment (DDOE) has a need to renew the annual service and maintenance plan on a TurboMatrix 350 ground level ozone precursor pollutant analyzer, TotalChrom data acquisition and date processing workstation, and Clams 500 automated gas chromatography (GC) equipment. The purpose of the analyzer system is to monitor the air that the citizens of the District breather and to determine smog (air pollution) levels, so that the public can be informed about air quality in the District.

The period of performance will be August 1, 2013 through July 31, 2014.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable cost is $14,088.00. No market survey was conducted due to the proprietary nature of Perkin Elmer LAS. Inc.'s relationship with the District and the Pollutant Analyzer.

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 PerkinElmer LAS, Inc. because DDOE must maintain operational service and maintenance of the photochemical assessment monitoring station (PAMS) high precision gas analyzer. The analyzer is a custom built automated GC designed for the analysis of a specific class of air pollutants (smog precursor pollutants). Failure to maintain the equipment will prevent DDOE from meeting the air monitoring requirements mandated by the federal regulations stipulated in 40 CFR Parts 50 and 58, and prevent DDOE from reporting the air quality information to the public. Thereby, the public will not be informed when the air quality is good, moderate or unhealthful.

C. PerkinElmer 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

_____
Keith Anderson
Director
District Department of the Environment

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 27 DCMR 1304 and that 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, Services/Goods
Office of Contracting and Procurment