

**Lee County Board Of County Commissioners**  
**Agenda Item Summary**

95  
**Blue Sheet No. 20040591**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Waiver # W-040591 to waive formal quotation procedure, due to sole source, for the Public Works Department (Utilities Division), for the purchase of Flygt Pumps from Ellis K. Phelps and corresponding warranty and repair services to these pumps from SAS Services. The term of the waiver would be for fifteen months which will allow the Utilities Division the opportunity to conduct "tests" of competitors seeking to pass the test of time. Estimated annual expenditures for raw sewage pumps and repairs would be approximately \$175,000. Funding will come from the individual departments budget and they will be responsible for monitoring their own expenditures.

**WHY ACTION IS NECESSARY:** All purchases that exceed \$50,000 must be board approved.

**WHAT ACTION ACCOMPLISHES:** Allows the Utilities Division to continue to purchase Flygt pumps and service

**2. DEPARTMENTAL CATEGORY:** 10  
**COMMISSION DISTRICT # CW**

*A 10 A*

**3. MEETING DATE:**

*08-17-2004*

**4. AGENDA:**

CONSENT  
 ADMINISTRATIVE  
 APPEALS  
 PUBLIC  
 WALK ON  
 TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
*(Specify)*

STATUTE  
 ORDINANCE  
 ADMIN. AC-4-1  
 CODE  
 OTHER

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER  
B. DEPARTMENT Public Works  
C. DIVISION Utilities  
BY: Rick Diaz, P.E., Director

*[Signature]*  
7/28/04

**BACKGROUND:** On July 21, 2004 Purchasing received from Rick Diaz/Utilities a request for a bid waiver for the purchase of Flygt Pumps from Ellis K. Phelps and corresponding warranty and repair services from SAS. Purchasing has verified that Ellis K. Phelps is the sole source vendor for the purchase of Flygt pumps and that SAS is sole service provider for this equipment.

Funding Account #OD5360448700.50XXXX

**Please see attachments:**

- (1) Division Request for Waiver
- (2) Sole Source Verification Letter from ITT Flygt Corporation
- (3) Justification Form for Sole Source and/or Waiver Purchase

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>[Signature]</i> 7-29-04	<i>[Signature]</i> 7-27-04	N/A	N/A	<i>[Signature]</i> 7/29/04	OA <i>[Signature]</i> 7/29/04	OM <i>[Signature]</i> 7/29/04	Risk <i>[Signature]</i> 7/29/04	GC <i>[Signature]</i> 7/29/04	<i>[Signature]</i> 7-29-04

**10. COMMISSION ACTION:**

\_\_\_\_\_ APPROVED  
 \_\_\_\_\_ DENIED  
 \_\_\_\_\_ DEFERRED  
 \_\_\_\_\_ OTHER

Rec. by CoAtty  
 Date: 7/29/04  
 Time: 11:18 am  
 Forwarded To:  
 Admin. 7/29/04

RECEIVED BY  
 COUNTY ADMIN: *[Signature]*  
 7/29/04  
 1:25 pm  
 COUNTY ADMIN  
 FORWARDED TO: *[Signature]*  
 7/29/04  
 4:15 pm



Lee County  
SOUTHWEST FLORIDA

**INTEROFFICE MEMORANDUM  
FROM  
PUBLIC WORKS  
UTILITIES**

**Date:** July 21, 2004

**TO:** Chris Jeffcoat  
Purchasing

**From:** Rick Diaz, P.E.  
Director

**SUBJECT: REQUEST FOR NEW WAIVER – ELLIS K. PHELPS  
FOR FLYGT PUMPS  
CURRENT WAIVER W-010569**

Chris, as you are aware, the above-referenced waiver with Ellis K. Phelps expires on September 10<sup>th</sup>. We would like to have this waiver renewed and request that you process a Bluesheet for approval. This involves a "sole source" for Flygt pumps and the following is a list of specific issues on the Flygt Pumps from Ellis K. Phelps and the SAS services on these pumps.

**Flygt Pumps:**

- Provide longer service life
- These pump have better seals to withstand raw sewage corrosion
- They handle neglect and lack of maintenance very well
- Are of competitive cost for the value
- Excellent efficiency
- Local representation with local shop
- Great control panels
- Interchangeable throughout our service area of more than 400 lift stations

**SAS Quality & Controls:**

- Only authorized Flygt Pump service provider
- Available for emergency repair 24 hours/7 days per week
- Spare part availability
- Spare pump service
- Performance testing
- Over 85% of our raw sewage pumps are Flygt

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Chris Jeffcoat  
July 21, 2004  
Page 2

Also, in regards to the term of the waiver, we need one year with two consecutive yearly extensions based on performance. This would add up to three years at approximately \$175,000 per year in raw sewage pump expenditures, which totals approximately \$525,000 for the three-year period. We intend to allow "tests" of competitors that try to pass the test of time seeking selection.

Attached you will find the sole source letter from ITT Flygt Corporation and the completed Sole Source Form from the Purchasing Manual.

RD/kam  
Attachments

xc: Ivan Velez, P.E.  
Dave Sabiston  
Orlando Figueroa

Jun 09 04 02:43p

EKP

06/09/2004 13:04 4878602900

2396931485

P. 1

JUN. 9. 2004 1:46PM ITT FLYGT

NO. 4111 P. 1

ATTACHMENT 2

An **ITT Industries** company

*ITT Flygt Corporation*  
90 Horizon Drive  
Suwanee, GA 30074  
Telephone: (770) 932-4320  
Fax: (770) 932-4321

June 9, 2004

Lee County Utilities  
Lee County, Florida

Subject: Flygt Products - Sales & Service

Please be advised that Ellis K. Phelps & Company is the only authorized vendor for \*Flygt Products and SAS is the only authorized service repair and warranty organization in the State of Florida (East of the Apalachicola River). Their staff is properly trained to provide you the best service available, including bronzing pumps for a sparkless environment.

Thank you for your interest in Flygt Products and do not hesitate to call me if you have any questions regarding distribution or any other matter.

Very truly yours,

ITT FLYGT CORPORATION



Luigi Mazzone  
Sales Office Manager

cc: Dick Cole - E. K. Phelps & Co.

\*Flygt Products include Submersible pumps, mixers, valves, and Multitrode probes, controls and well washer.

## JUSTIFICATION FOR SOLE SOURCE AND/OR WAIVER PURCHASE

REQUISITION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT UTILITIES DIVISION BUSINESS UNIT 48700

SUGGESTED VENDOR

ELWIS K. PHELPS + COMPANY (173727)

ITEM DESCRIPTION AND REASON FOR SOLE SOURCE AND/OR WAIVER:  
(MAY ALSO BE ATTACHED AS A MEMO)

FLYGT PUMPS. THEY ARE THE ONLY AUTHORIZED VENDOR FOR FLYGT PUMPS  
IN THE STATE OF FLORIDA (EAST OF THE APALACHICOLA RIVER).

TECHNICAL CHARACTERISTICS:

THESE PUMPS ARE EQUIPPED WITH EXCELLENT SEALS TO WITHSTAND RAW SEWAGE CORROSION,  
THEY ARE OUTSTANDINGLY EFFICIENT AND REQUIRE VERY LOW MAINTENANCE.

REASON FOR REQUESTING SOLE SOURCE:

ITEM MUST MATCH EXISTING EQUIPMENT, WHICH IS:

THESE PUMPS ARE INTERCHANGEABLE THROUGHOUT OUR SERVICE AREA OF MORE THAN 520 LIFT STATIONS.

ITEM IS A REPAIR PART FOR EXISTING EQUIPMENT, WHICH IS:

ITEM IS TO BE ATTACHED TO EXISTING ITEM, WHICH IS:

RAW SEWAGE LIFT STATIONS.

Revision Date:

( ) TECHNICAL CHARACTERISTICS OF REQUESTED ITEM ARE ESSENTIAL TO OUR NEEDS  
BECAUSE:

( ) NO OTHER MANUFACTURER OF THIS TYPE OF PRODUCT EXISTS

( ) OTHER MANUFACTURERS OF THIS TYPE OF PRODUCT DO NOT MEET OUR MINIMUM  
REQUIREMENTS:

MANUFACTURER'S NAME: \_\_\_\_\_

REASON: \_\_\_\_\_

MANUFACTURER'S NAME: \_\_\_\_\_

REASON: \_\_\_\_\_

MANUFACTURER'S NAME: \_\_\_\_\_

REASON: \_\_\_\_\_

( ) OTHER \_\_\_\_\_

MUST PERFORM PRICE OR COST ANALYSIS OR ATTACH NEGOTIATED PRICE QUOTE  
FROM VENDOR; LETTER FROM MANUFACTURER STATING SOLE SOURCE.

A) PRICE ANALYSIS PERFORMED

BASED ON: HANDS-ON  
YEARS OF HANDS-ON EXPERIENCE USING THESE PUMPS IN LEE COUNTY  
AND OTHER AREAS IN FLORIDA, AND OUT OF STATE HAVE  
PROVEN THEIR WORTH. OVER 85% OF LEE COUNTY UTILITIES  
RAW SEWAGE PUMPS ARE FLYGT'S.

Revision Date:

B) COST ANALYSIS PERFORMED:

BASED ON:

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Debra L. Simpson Fiscal Manager  
 SIGNATURE AND TITLE OF REQUESTER

I, Chris Jeffcoat, AUTHORIZED BUYER,  
 CONCLUDE THE FOLLOWING:

SOLE SOURCE JUSTIFICATION IS ADEQUATE AND PURCHASE IS AUTHORIZED WITHOUT COMPETITIVE BIDDING.

SOLE SOURCE JUSTIFICATION IS INADEQUATE AND REQUISITION IS RETURNED TO DEPARTMENT.

DUE TO TIME RESTRAINTS PURCHASE IS AUTHORIZED WITHOUT COMPETITIVE BIDDING.

COMPETITIVE/NON-COMPETITIVE BID WAIVER APPROVED.

Chris Jeffcoat  
 BUYER

Janet K. Sheehan 7-27-04  
 PURCHASING DIRECTOR

*approving with the understanding that within 18 months utilities will research and test other pump manuf. and provide to us a report.*