



JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

Sole Source Purchases are defined clearly, based upon a legitimate need, and are limited to a single supplier. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and/or cost effective feature requirement. The use of sole source purchases must be justified and shall be limited only to those specific instances in which compatibility or technical performance needs are being satisfied.

Sole Source Services are defined as a service provider providing technical expertise of such a unique nature that the service provider is clearly and justifiably the only practicable source available to provide the service. The justification shall be based on the uniqueness of the service, sole availability at the location required, or warranty or defect correction service obligations of the service provider.

This form must be filled out for the request to purchase any good or non-professional service that requires a competitive procurement process (informal quotes (\$1001-\$10,000), formal quotes (\$10,001 - \$19,999.99), or formal bid (\$20,000 or more) as defined in the LFUCG's Purchasing Manual. This form must be completed in its entirety and attached to the purchase requisition.

Note: Sole Source Purchase requests for goods exceeding \$20,000 will require approval by the Urban County Council by submitting an Administrative Review Form. A copy of this form must be signed off by Central Purchasing and attached to the Administrative Review Form.

Requesting Division

Name Battalion Chief Robert Larkin Division/Dept Fire and Emergency Services_____

Phone (859) 280-8922_____ Email larkinr@lexingtonky.gov_____

Type of Purchase: (X) Goods/Materials/Equipment () Services

Cost: \$38,850.00_____

Sole Source Request for the Purchase of: Thermo Scientific TruDefender__

FTX_Handheld_FTIR Analyzer

☒ One Time Purchase

☐ To Establish Sole Source Provider Contract
(subject to annual review and approval by Central
Purchasing and/or Urban County Council)

Vendor Information

Business Name Thermo Scientific Portable Analytical Instruments Inc.

Contact Name Scott Fitzpatrick

Address 2 Radcliff Rd
Tewksbury, MA 01876_____

Phone (979) 693-0050 Email scott.fitzpatrick@thermofisher.com



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STATEMENT OF NEED: (Add additional pages as needed)

My division/department's recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the LFUCG. I know of no conflict of interest on my part, and I have no personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials, persons or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

1. Describe the product or service and list the necessary features this product provides that are not available from any other option.

For the purchase of one each TruDefender FTX S1. The TruDefender is a chemical analyzer that will determine the identity and composition of unknown chemicals. Technologies of this type are extremely limited that allow for the ease of use, compactness, portability and the ability to be decontaminated. It is proven technology in current use by numerous governmental organizations including the US Armed Forces. Thermo Scientific (corporate) is the only provider of this product line for the State of Kentucky.

2. Below are eligible reasons for sole source. Check one and describe.

☒ Licensed or patented product or service. No other vendor provides this. Warranty or defect correction service obligations to the consultant. Describe why it is mandatory to use this licensed or patented product or service.

Thermo Scientific is the only producer, marketer and vendor of this device for the State of Kentucky

☒ Existing LFUCG equipment, inventory, custom-built information system, custom-built data inventory system, or similar products or programs. Describe. If product is off-the-shelf, list efforts to find other vendors (i.e. web site search, contacting the manufacturer to see if other dealers are available to service this region, etc.)

The LFUCG via the Lexington Fire Department currently has a similar but not interchangeable piece of equipment from Thermo, the FirstDefender. Operation of the two devices are similar in function but again not interchangeable as both instruments analyze chemicals differently. The FirstDefender purchased approximately eight years ago was purchased with a Kentucky Office of Homeland Security Grant and has worked flawlessly.

☐ Uniqueness of the service. Describe.

☒ The LFUCG has established a standard for this manufacturer, supplier, or provider and there is only one vendor. Attach documentation from manufacturer to confirm that only one dealer provides the product.

Please find separately attached letter of 11/18/2019 from Scott Fitzpatrick, Safety and Security Specialist from ThermoFisher Scientific

☒ Factory-authorized warranty service available only from this single dealer. Sole availability at the location required. Describe.

A one year warranty comes standard with this piece of equipment



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X Used item with bargain price (describe what a new item would cost). Describe.
This is not a used item. However, Thermo offers a \$19,150 price discount with the trade in of a competitor instrument. The LFD will trade in a Smith HazMat ID system that no longer functions nor is supported by the original producer. The Smith HazMat ID was a gifted piece of equipment through the Defense Reutilization and Marketing Office (DRMO) approximately 12 years ago. The obsolescence of the Smith ID and the non-support of the system prompted the search for this new piece of equipment.

X Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:
The TruDefender was the subject of a KOHS Grant award and was specified at the time of the application. The sole source request has been vetted and approved by the grants manager of KOHS, Mrs. Jennifer Annis on 17 FEB 2020

3. Describe efforts to find other vendors or consultants (i.e. phone inquiries, web site search, contacting the manufacturer to see if other dealers are available to service region, etc.).

LFD Special Operations conducted searches on the internet and checked with several of our habitual monitor and detector vendors to determine if other sources were available. All sources directed us to ThermoFisher (corporate)

4. How was the price offered determined to be fair and reasonable?
(Explain what the basis was for comparison and include cost analyses as applicable.)

This item and its capabilities are specific. The price has held constant for several years.

5. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

The offer of a trade in and the subsequent award of the KOHS will provide a \$58,000.00 piece of equipment for the expenditure of local funds amounting to \$3,885.00.

\$58,000 Unit Cost, less \$34,965 KOHS Grant, less \$19,150 Smith ID trade in to equal \$3,885 from LFD HazMat equipment under \$5,000 account