



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 __ Brian Rogers Division/Dept __ Parks/Enterprise

Phone __ 859-288-2971 Email __ brogers@lexingtonky.gov

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

Cost: __ \$26,055

Sole Source Request for the Purchase of: __ Aquatic Climbing Wall for Woodland Pool

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: Pyramide USA Inc.

Contact Name: Doug Cooke

Address: PO Box 530, Frederick MD 21705

Phone: 800-736-2873 or 800-956-6692 Email: accounts@climbpymide.com



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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.

AquaClimb – Aquatic/poolside-mounted climbing wall. In comparison to many other pool features, the climbing wall offers active recreational opportunity that encourages fitness, utilizes the deeper end of the pool, and is likely to attract broader age groups to participate.

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.

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.)

Uniqueness of the equipment. Describe.

AquaClimb "Ascent" (model) uses climbing panels with various 3-dimensional contoured shapes molded in durable easy-care fiberglass with UV-resistant gel-coat finish. Modular frame and panel design allows panels to be relocated and rotated in four orientations to reconfigure the wall and alter the climbing experience for patrons. Stainless steel frame is epoxy powder-coated for weather protection and ease of maintenance. Ascent model limited warranty is 5 years for climbing panels and frame. Pyramide USA Inc. is the only manufacturer of AquaClimb.

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.

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

Used item with bargain price (describe what a new item would cost). Describe.

Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:



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

Aquatic staff has done web searches and solicited comment from other vendors. Aqua Climb provides the only option to get the features desired.

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.)

Cost comparisons were performed for products that were similar but did not have the desired features.

We used this vendor last year in a similar sole source situation and have been extremely happy with the product and level of service provided by this company. This particular purchase is part of the "fund balance" projects assigned by Council and was not initiated by the Division.

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

Manufacturer's direct sale.



Pyramide USA Inc.
P.O. Box 530
Frederick, MD 21705

Doug Cooke
Ph: 800-956-6692 x 104
Fax: 888-779-7879
Doug@aquaclimb.com

Quotation / Purchase Agreement

Quote Provided for: Woodland Aquatic Center Quote date: 10/4/2013
Order No.: DC3-1004-3
Prices Valid To: 1/4/2014

CUSTOMER/PURCHASER

Company: Lexington-Fayette Urban Co.
Contact: Scott Sheets
Email: ssheets@lexingtonky.gov
Address: 200 E Main St
City: Lexington
State: KY Zip: 40507
Phone: 859-288-2974

SHIP TO LOCATION

NEED!!
Ship Contact:
Ship Address:
City:
State: KY Zip:
Phone:
Email:

AQUACLIMB CLASSIC PRODUCT			
QTY	MODEL	5 PANEL HIGH X 2 PANEL WIDE (11' Depth Model)	Total Cost
1	AC-C-A	Ascent - Fiberglass Molded Panels - Standard Colors (Same Discounted Price if Choose to Separate AquaClimbs)	24,930.00
1		Shipping & Handling	1,125.00

\$26,055.00

50% Deposit Required!

***To ensure no special hardware is needed, submit an AquaClimb Gutter Configuration PDF.
If any special hardware is needed, an additional \$286 will be charged and added to the invoice.**

Value Added Options and Accessories:

*Custom Colors are an additional \$500 per color.
Logos are an additional \$200 for each Safety Panel.
5 Panel High AquaClimb Back Covers cost \$1,120 additional each.
Flush Anchors cost an additional \$180 per set of 6 (2 sets needed).*

****All costs associated with local, county, and state permits is purchasers responsibility.**

*****Price does not include stamped engineer drawings. Electrical bonding is the responsibility of the customer.**

******All costs for modifications to standard AquaClimb is the responsibility of the customer.**

Pricing & Payment Terms

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All prices are stated and payable in US Dollars. Payments originating outside the U.S.A. must be drawn from a USD bank account or remitted by wire transfer in USD funds. Unless otherwise stated in writing, 50% of the total Purchase Price is required as deposit with the order and the balance is due immediately upon product delivery. Invoices not paid within 30 days of issuance will be subject to a 1.5% interest fee compounding monthly. Prices as stated herein are only valid if this signed Purchase Agreement and Deposit are received by Pyramide USA Inc. by the date stated above. All costs associated with local, county, and state permits, including engineer documents, are the buyer's

Please make checks payable to:

Pyramide USA Inc.
P.O. Box 530
Frederick, MD 21705

Order Process & Shipping

Order processing does not begin until we have received the signed AquaClimb Purchase Agreement, the 50% deposit (or agreed upon amount) and all requested gutter information. Shipping times cannot be guaranteed due to seasonal fluctuations and other variables, but orders typically ship within 6-8 weeks after receipt of required items. Delays should be expected for unique gutter configurations, high volume orders and/or custom orders. We will make every effort to fulfill your order as quickly as possible. Your patience is appreciated.

I warrant that I have the authority to act on behalf of the Purchasing Company in entering into this Agreement with Pyramide USA Inc. I have read and understand all terms and conditions of this Purchase Agreement, including page 2 "Terms and Conditions of Sale", and hereby accept and agree to adhere to such terms.

Signature _____

Date _____

Printed Name/Title _____