

SOLE SOURCE REQUEST AND DETERMINATION FORM

This form must be forwarded to the Purchasing Officer for the City of Santa Fe Purchasing Office for processing.

Date: 5/4/16

Prepared By: David Catanach

Title: Streets Division Director

Vendor Name: Bionic Soils Solution

Address: 218 Camino La Tierra

City: Santa Fe

State: NM

Zip Code: 87506

Description of Good/Service to be Procured: Road Stabilizer for Cerro Gordo

Estimated Cost: \$47,223.50

Term of Contract: August 30, 2016

1. Explain why this is the only available source that can be meet the needs of your department.

We would like to try the Bionic Soil product on Cerro Gordo Road. Cerro Gordo Road is a problematic maintenance area (both winter and summer) due to surrounding terrain and close to the road historical structures which dominate the area and there is opposition by several residents to pave. We have tried different products in the past with minimal success; however this product has documented accomplishment when dealing with difficult road conditions associated with unpaved roadways.

2. Explain why this vendor is the only available source from which to obtain this product of service.

The company has affirmed (memo from vendor is attached) that there is no other source for this item. Our search for possible vendors proved unsuccessful; or

Other reason, please explain in full. Attach additional sheets, if necessary.

3. Explain why the price is considered fair and reasonable.

The product information states that it provides long-term stable surface for un-paved roadways. Also, the product has been field evaluated by several groups including KOB-TV and the Navajo Nation which indicate the product has performed well in adverse conditions.

4. Describe the efforts made to obtain the best possible price from this sole source vendor for the taxpayers. What (if any) is the total cost savings from the original quote? (Attach additional sheets, if necessary.)

The price they have quoted is less than what charged to other entities such as the Navajo Nation.

Approvals:

Based on the above facts, the Purchasing Office has made the determination that the justification for the Sole Source procurement is in accordance with Section 13-1-126, NMSA 1978 and will be posted for a 30-day period prior to award.



Robert Rodarte Date
Purchasing Officer

May 1, 2015

SOLE SOURCE CERTIFICATION

Product Name: Bionic Road Solution™ (“BRS”)

I hereby certify that:

- (a) Bionic Road Solution™ (“BRS”) is a proprietary, trade secret road stabilization technology;
- (b) Bionic Soil Solutions USA, LLC holds the exclusive license as the sole source to produce and sell BRS in the United States of America; and
- (c) BRS to the best of our knowledge is the only road stabilization technology that utilizes accelerated lithification and achieves a high strength gain in a matter of hours.

BRS Characteristics Certification for Sole Source Qualification:

- 1) Achieves a California Bearing Ratio (‘CBR’) up to 100 depending on the type of soil being treated;
- 2) Reduction in plasticity as measured by Plasticity Index;
- 3) Water-resistant soil matrix where soil becomes hydrophobic;
- 4) Not an ionic soil stabilizer or based on anionic surface active agents;
- 5) Does not contain lignosulphonates, mineral acids, enzymes, microbes, bacteria, sugars, magnesium chloride, calcium chloride, or sulfuric acid;
- 6) Does not contain petroleum resins or other petroleum products or by-products;
- 7) Does not contain stony waste matter separated from metals from smelting or refining ore (‘slag’);
- 8) Does not contain calcium oxide or calcium hydroxide (‘lime’);
- 9) Does not use pozzolanic reaction;
- 10) Does not contain organic polymers or synthetic organic polymer binders;
- 11) Does not contain vinyl, acrylic, styrene, acetates or resin.

Respectfully,

Robert Sherwin
Chief Executive Officer