



COLORADO

Office of the State Architect

Department of Personnel & Administration

**REQUEST FOR APPRENTICE WAIVER
FOR COMPLIANCE WITH COLORADO APPRENTICESHIP REQUIREMENTS**

No responsive, eligible subcontractors bid the project

Confirmed - Approved

Kathleen Miller

No responsive, eligible Apprenticeship program within 50 miles one-way of the project

Confirmed - Approved

Project Number: 23010

Subcontractor: Climate Systems

Project Name: REPLACE CHILLER SYSTEMS
- LARC and OSC

List Trades: _____

General Contractor: Johnson Controls, Inc.

Phone: 303-995-5409

Email: _____

Please attach additional documentation/evidence needed (if any) to support the waiver request.

Agency: Colorado State University Pueblo

Date: 8/14/2023

Signature: *Donna Souder Hodge*

Printed Name: Donna Souder Hodge

Title: VP of Operations and Advancement

Kathleen Miller
Office of the State Architect
Department of Personnel and Administration
1525 Sherman St
Denver, CO. 80203

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THIS FORM MUST BE SUBMITTED TO OSA PRIOR TO CONTRACT EXECUTION.

Request for Sole Source

SS23-00017

This form is to be completed and submitted with supporting documentation with your requisition to request a sole source procurement. Inadequate justification or documentation for a request for sole source procurement will result in delays or a solicitation of bids. Completion of this form does not guarantee the approval of the procurement request. The Office of Procurement Services reserves the right to solicit competitive proposals, sealed bids, negotiate pricing or to solicit additional information and remains the final authority for any procurement.

Section I: Department Information

(Person to contact if Procurement Services has questions on this request)

Name: David Herman, Senior Director of Facilities: Physical Plant Management

Department Name: Facilities Management

Phone: (719)549-2747

Email: david.herman@csupueblo.edu

Is this on federal funds (53)? Yes No

If yes, do not complete this form. Please contact your purchasing agent for assistance.

Section II: Vendor Information

Vendor Name: Johnson Controls, Inc.

Rep Name: Jake Terzo

Phone: (406)396-7078

Email: jake.terzo@jci.com

Section III: Brand Specific Sole Source (Goods Only)

Is the identified brand/model available from more than one source (i.e., more than one dealer/distributor)?

Yes If yes, complete this section and section IV in its entirety only.

No If no, complete sections IV, V, VI, and VII.

If yes, this will be conducted as a brand specific procurement. Please provide the company names of known sources of supply.

Section IV: Statement of Business Need

Describe in detail the good or service to be procured and how it meets your research or business need(s).

The business need is CSU Pueblo currently has failed mechanical cooling systems in two different facilities, namely the Library and the Occhiato Student Center (OSC).

The Library is presently being serviced by a temporary air cooled chiller at a very high rental rate that recently failed as well and is being repaired. The Library basement is also at risk of flooding due to the temporary chiller installation configuration. OSC is operating at half capacity with no redundancy. The services being contemplated consists of a design/build effort to replace the existing failed tandem chiller and rental chiller at the Library and replacement of the failed air cooled chiller at OSC and installation of flood mitigation equipment. Due to the lack of redundancy and present supply chain challenges, an immediate commitment is required to complete design and procurement activities to facilitate locking in equipment specifications and pricing and timely equipment deliveries before January 1st chiller manufacture price escalation 6%-10%.

Section V: Required Features

Describe the unique features that make this product or service available only from this supplier. What unique design/performance features does this good or provider of service have that are essential to your research or other application? This is not a regurgitation of specification.

The Library Chiller Upgrade project requirements to ensure the temporary Chiller is safely and successfully operational and the new chiller solution is expedited. Immediate critical required features are;

- 1) Complete design and immediately install high capacity Sump Pump system (pumping, piping, electrical) to address temporary chiller system line rupture and future basement chilled water flood risk to protect Library asset and electronics. (In JCI's role as Energy Performance Contracting partner, much of the design work has already been completed allowing for expedited equipment specification, design and ordering.)
- 2) Provide and Install Temporary Cooling option.
- 3) Complete Mechanical, Electrical, Plumbing Professional Engineering to 100% design for the installation of a new Chiller system including chiller, pumping, piping, electrical, pad, controls, fencing, and associated components of a fully functions code compliant system. (In JCI's role as Energy Performance Contracting partner, much of the design work has already been completed allowing for expedited equipment specification, design and ordering)
- 4) Design must be completed sufficiently to order chillers within 2 days.

The Occhiato Student Center requirements are

- 1) Complete Mechanical, Electrical, Plumbing Professional Engineering to 100% design for the chiller replacement to allow fully functional code compliant system. (In JCI's role as Energy Performance Contracting partner, much of the design work has already been completed allowing for expedited equipment specification, design and ordering.)
- 2) Design must be completed sufficiently to order chillers within 2 days.
- 3) Utilizing existing foundations, piping and electrical systems, and controls to provide a complete operable system

Through the EPC, JCI is CSU Pueblo's provider of Building Automation, which provides a seamless avenue to include this equipment and through JCI there will be no ongoing interruption of service. Due to the Solar Savings and guarantees of the Energy Performance Contract, there are significant conditions that must be met and JCI is uniquely positioned as the EPC partner to ensure these are met without significant additional Facilities Management oversight which is unavailable. Also, by connecting this with the Energy Performance Contract the University has opportunity for additional rebates because of the larger impact on sustainable energy solutions.

Manufacturer/model of you existing equipment, if applicable.

Is this product or service proprietary? Yes

No

If yes, provide documentation showing that the supplier has a patent, copyright, or other legal right which identifies the supplier as a sole source.

Section VI: Competing Brands

What other goods or providers of service were considered? Specify all brands/models of competitors' products or providers of service that were investigated and describe how they do not meet the listed Required Features for the research application.

Trane refused to warranty our Occhiato Student Center Chiller and was the only other source for the equipment and installation needed. Trane is also unable to meet the expedited design and engineering requirements at this time and has indicated it will take 6 weeks or longer to design the system and provide fixed pricing.

Provide supportable evidence that due diligence has been performed in an objective market analysis and proof of fair and reasonable pricing.

Section VII: Conflict of Interest Statement

By typing my name below: I certify that all information is truthful, accurate and that there is no real or potential conflict of interest in recommending this good or service as a sole source procurement. In requesting this non-competitive procurement with this vendor, I certify that, to the best of my knowledge, neither the principals, directors, owners, employees nor are business associates (including respective family members) of the vendor selected employees of Colorado State University Pueblo and/or agency of the State of Colorado. Such vendors are restricted from contracting with CSU Pueblo per Federal Uniform Guidance and C.R.S. 24-18-201.

Employee Name:
David Herman

CSU Pueblo
Employee

Date: 1/9/2023

Purchase as requested:

Chris Fendrich

Chris Fendrich
Director of Procurement
2/3/2023