

June 11, 2020

Subject: Letter of Determination
Ref: Sole Source Purchase – Kubota, Inc
Term: Expires 6/30/2021
To: VOR Website, NM Sunshine Portal, Purchasing File

The Village of Ruidoso is providing this Letter of Determination with the intent to procure via Sole Source with Kubota, Inc for Membrane Cartridge Type 515 Filters.

The Ruidoso/Ruidoso Downs Wastewater Treatment Plant requires a stainless-steel cassette containing 200 membrane cartridge type 515 filters for the operation of a membrane Bio Reactor facility.

This type of facility is the best available technology for the removal of Total Phosphorous and Total Nitrogen and requires this type of filter for its operation.

Kubota is the only company that manufactures and distributes these cassettes and filters. There are no other sources for these filters.



John Commander
Purchasing Agent, CPO

VILLAGE OF RUIDOSO

SOLE SOURCE CERTIFICATION

A sole source purchase is permissible when there is only one vendor in the overall geographical region that can provide an item or service. (§13-1-126 NMSA 1978, 1997 Repl.) The Department Director, Purchasing Agent or representative shall certify that a good faith effort has been made to contact other vendors in the general overall geographical region that the sole source has been located, and that the item or service is the only source found to be available in the region. The Village Manager or Deputy Village Manager must give final approval for sole source purchases.

The Purchasing Agent shall certify that every effort has been made to determine if there is a Federal Purchasing or State contract for the item or services requested and that negotiations, as appropriate, have been conducted with the sole source vendor to determine that it is the best obtainable price.

If there is a GSA or State Contract for the item or service, a Sole Source Certification is not required. If another vendor has the item or service needed and has been contacted, a Sole Source Certification is not permissible.

For clarification of these Sole Source issues please refer to Procurement Procedures or contact your Purchasing Department.

Full Description of item or service:

Membrane Cartridge Type 515 Filters – Used in a Membrane Bio-Reactor Facility

Additional Justification Information: Best available technology for removal of Total Phosphorous and Total Nitrogen.

Name/Contact Person of Sole Source Vendor: Kubota, Inc., Brian Codianne

Address/Telephone# of Sole Source Vendor: 11807 North Creek Parkway S. Unit B-109, Bothell, WA 98011. (425)898-3888

Price of Sole Source Items or Services: Approximate Value \$384,000 (3,200 @ \$120.00 per Filter, Tubes and Freight Included).

CERTIFICATION BY DEPARTMENT:

I hereby certify that a good faith effort has been made to contact other vendors in the general overall Geographical region in which the sole source has been located, and that there is only one source for The required service or item of tangible personal property.

Department Head: 

Date: 5-12-20

CERTIFICATION OF PURCHASING AGENT:

I hereby certify that there is not a GSA or State Contract for the item or service requested and that negotiations, as appropriate, have been conducted with the sole source vendor to determine this is the best price obtainable.

Purchasing Agent: 

Date: 6-11-2020

Management Approval
Village Manager/Deputy Manager: 

Date: 6-12-2020

May 11, 2020

Isaac Garcia
Village of Ruidoso
Ruidoso-Ruidoso Downs Wastewater Treatment Plant (RWWTP)
26675 U.S. HWY 70 E, Ruidoso Downs, NM 88346

RE: Kubota Membrane USA Status as Sole Source Vendor

Mr. Garcia,

This letter is to confirm that Kubota Membrane USA is a sole source provider for all Kubota Membrane units (cassettes) and associated component parts. The membrane units and individual pieces and accessories are manufactured, sold and distributed exclusively by the Kubota Corporation through their direct U.S. subsidiary Kubota Membrane USA.

There are no agents, licensees, or dealers authorized to represent these products, and no other company has any right to make a similar product meeting the intent of the originally installed equipment.

Due to the specific design criteria existing at the Ruidoso WWTP there are no other items or products available for purchase available from other third party membrane suppliers that would serve the same purpose or function.

Sincerely,

Brian Codianna

Brian Codianna
MBR Systems Regional Manager
Kubota Membrane USA Corporation
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