



Legislation Details (With Text)

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On agenda:	7/23/2018	Final action:		7/23/2018	
Title:	Firefighting Foam Contract				

Attachments:

Date	Ver.	Action By	Action	Result
7/23/2018	1	City Council Business Meeting	Approve	Pass

Firefighting Foam Contract

Action:

- A. Approve the purchase of firefighting foam, as authorized by sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve a unit price contract with Municipal Emergency Services for the purchase of Foam Concentrate for the term of one year, and**
- C. Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.**

Staff Resource(s):

Reginald Johnson, Fire
Rich Granger, Fire
Kevin Gordon, Fire

Sole Source Exemption

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
 - Performance or price competition is not available;
 - A needed product is available from only one source or supply; and
 - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract to ensure compatibility with the foam that is currently in use.
- The City Council must approve purchases made under the sole source exemption.

Explanation

- Municipal Emergency Services is the manufacturer of three percent MS AFFF Military Grade Foam Concentrate and does not sell the product through distributors.
- This is the only foam manufactured that can be used with firefighting foam currently in use.
- Compatibility is vital for both storage and use of the foam during emergencies.
- Purchase of non-compatible foam would not mix appropriately with the current foam in use, creating an inability to pump and/or spray, making it unusable during emergencies.
- In a typical year, Fire purchases approximately six, 265-gallon totes of foam.
- This foam is used to fight fires at Charlotte Douglas International Airport. It is also utilized by 55 companies and is hauled on a special apparatus in or around the Paw Creek area to combat potential petroleum based fires associated with the mixing of ethanol gas.

- Fire estimates annual expenditures to be \$40,000, for a total of \$200,000 over the five-year term.

Charlotte Business INclusion

This is a sole source contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Fire Department Operating Budget