



City of Round Rock Purchasing Justification Form

**EXHIBIT
"A"**

Date:	5/19/23	Department Name:	Utilities – Wastewater Treatment Plant
To:	Purchasing	Requestor Name:	Michael DeSantis
		Phone Number:	512-218-2005

Instructions: Complete this form for all purchases that will exceed \$3,000 and will be exempted from competition as prescribed in Texas Local Government Code Chapter 252.022. Attach additional information as needed to support the exemption request.

The City declares the competitive bidding procedures in Texas Local Government Code Chapter 252 to be exempt for this procurement. This Justification Form is executed and filed with the Purchasing Division as follows:

1. The undersigned is authorized and certifies that the following exemption is applicable to this purchase.

Please check the criteria listed below that applies to this purchase request:

Sole Source (check one)

Items that are available from only one source because of patents, copyrights, secret process, or natural monopolies.

Films, manuscripts, or books.

Gas, water, and other utilities.

Captive replacement parts or components for equipment

Books, papers, and other library materials for a public library that are available only from the persons holding the exclusive rights to the materials

Goods Purchased for Subsequent Retail Sale

- o A procurement of goods being purchased for subsequent resale by the City.

Public Calamity

- o A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of a municipality.

Public Health and Safety

- o A procurement necessary to preserve or protect the public health or safety of the municipality's residents.

Unforeseen Damage

- o A procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

Personal, Professional or Planning Services

- o A procurement of personal, professional, or planning services

Other

- o Cite the applicable Texas Local Government Code Chapter 252 exemption in the justification box below.

2. Justification: Describe in detail below why an exemption according to Section 252.022 of the Local Government Code is being submitted for this purchase. (Attach additional pages if needed)

Wastewater Transport Services, LLC holds exclusive use of JV Dirt and Loam (TCEQ MSW 2310). It is the only permitted compost facility in the Greater Austin area currently accepting Wastewater Treatment Plant Sludge/Biosolids. The site is expected to be open for at least the next 5 years and has the capacity to handle the City of Round Rock's current and future production. The City and vendor have ascertained that Wastewater Transport Services, LLC is the only vendor capable of providing transportation and disposal for the City of Round Rock.

3. Attach and submit the following documentation that supports this justification as applicable.

- Vendor's proposal/quote.
- If sole source a Manufacturer's letter declaring the purchase is sole source and why. The letter should be no older than 6 months old and signed by an authorized representative on company letterhead.


4. Because the above facts and supporting documentation the City of Round Rock exempts this procurement from LGC Chapter 252 and intends to contract with:

Vendor Name:	American Allwaste, LLC
Description:	Municipal sludge/biosolid hauling and composting

5. Check the purchase type and fill in the dollar amount and purchase term as applicable

- This is a one-time purchase request for \$ _____
- This is a term contract request for 60 (# months) in the amount of \$ 8,240,000

Purchasing Office/
Management Review:  05/19/2023
David Carter (May 19, 2023 12:29 CDT)
Purchaser/Purchasing Management (over \$50,000) Date

Approved by:  05/19/2023
Michael Thane (May 19, 2023 12:25 CDT)
Department Manager, Asst Director, or Director Date

Re: City of Round Rock – Sole Source Contract

American Allwaste, LLC owns the below entities:

Wastewater Transport Services, LLC (Customer Facing Brand)
Sheridan Environmental, LLC
Allwaste Walker, LLC
Walker Aero Environmental, LLC

Wastewater Transport Services, LLC holds exclusive use of JV Dirt and Loam (TCEQ MSW 2310). Which is the only permitted compost facility in the Greater Austin area currently accepting Wastewater Treatment Plant Sludge/Biosolids. The site is expected to be open for at least the next 5 years and has the capacity to handle the City of Round Rock's current and future production. It is our assertion that Wastewater Transport Services, LLC is the only vendor capable of providing transportation and disposal for the City of Round Rock.

A recent bid like this would be City of Pflugerville "RFB 2022-005 Annual Hauling of Dewatered Sludge" the only other respondent was from the San Antonio area and more than double our rate.

Please let me know if you have any questions.



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OUR FAMILY OF COMPANIES

