

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: August 19th, 2020

SUBJECT: Purchase of Emergency Support Tent and accessories

PRESENTER: Jimmy Brissie, Emergency Services Director

ATTACHMENTS: (3) Quote from Vendor
N.C.G.S. 143-129 (e)(6)
Sole Source Confirmation from Vendor

SUMMARY OF REQUEST:

The Board is requested to approve the attached bid proposal and authorize staff to proceed with the procurement of an Emergency Support Tent and Accessories for Henderson County Emergency Management via the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).

The sole bid was received from DLX Enterprises for a total price of \$54,200.12. They are the only authorized dealer in the United States for their series of ASAP Tents and Accessories specifically needed to match existing tents in the County's inventory. Henderson County currently has two tents manufactured by DLX Enterprises, which were provided by the State under a grant. By purchasing from the same vendor, we will insure compatibility with existing tents and accessories. The proposed tent is needed to support the County's response efforts to COVID-19. Similar tents have been used for testing sites, long term care facilities and at hospitals for surge needs.

The tent and accessories will be purchased using money allocated from the Coronavirus Relief Fund.

BOARD ACTION REQUESTED:

The Board is requested to accept the bid proposal from DLX Enterprises and authorize Henderson County staff to proceed with the purchase of an emergency support tent and accessories using the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).

Suggested Motion:

I move the Henderson County Board of Commissioners award the purchase contract for an emergency support tent and accessories to the sole bidder, DLX Enterprises for \$54,200.12 and authorize staff to proceed with the purchase using the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).



Quote

DATE	ESTIMATE #
7/28/2020	63020

DLX Enterprises, LLC
 Deployed Logix
 520 S Bertelsen Rd.
 Eugene, OR 97402

BILL TO
Timothy D. McFalls Henderson County Emergency Management 2529 Asheville Hwy Hendersonville, NC 28793

SHIP TO
Timothy D. McFalls Henderson County Emergency Management 2529 Asheville Hwy Hendersonville, NC 28793 tmcfalls@hendersoncountyyrescue.org (828) 692-3487

Item	Description	Qty	Rate	Amt
SMRPAHUBT	MRP // ASAP-HUB // TAN • ASAP-HUB Shelter (16' x 16') Mil Spec Blackout Vinyl w/ Removable Endwalls (4) • Insulation liner w/ radiant barrier aluminized backing • Waterproof vinyl floor • ASAP® Connector (4) w/ peak, floor, insulation connecting strip • ATLAS® Anchors & Stake Kit • LED Stringable lights • Wiring Harness 110v) • Frame components with carry bag • DLX Hard Case (83 x 25 x 16) Interlockable Wheeled Hard Case (2)	1	\$23,831.41	\$23,831.41
SOASEW2	ASAP SCREEN ENDWALLS Set of (2)	1	\$1,957.13	\$1,957.13
SOIDP2	SHELTER ID PANELS • Removable identification panels (2) • Customizable & waterproof	1	\$130.22	\$130.22
CCH16AP	ASAP-HUB AIR PLENUM • ASAP-HUB16 Air Plenum (16') • Carry Bag	1	\$762.08	\$762.08
CCHVAC3T	XACT 3.0 HVAC • Dimensions LWH: 49.5 x 35 x 44 inch / (126 x 89 x 112 cm) • 230V Single Phase / 60HZ • Finish Powder Coated Cabinet • Thermostat • All-Way Wheeled Caster System with Brakes • (1) Duct diameter 12" (30.5 cm)	2	\$7,901.67	\$15,803.34

	• (1) Duct diameter 14" (35.5 cm)			
CCTFH70K	XW70 // XTREME WEATHER HEATER KIT • XW-70 Tri-Fuel Heater System (DIESEL) • 110V Single Phase, 60HZ • (2) Duct diameter 12 " (25.4 cm) • Thermostat • Interlocking Wheeled Hard Case w/ Custom Foam Insert • Dimensions LWH: 54.4 x 29.2 x 24 inch // (138 x 74 x 61 cm)	1	\$6,806.86	\$6,806.86
TGDLX24	DLX TRAINING • 1 Day training • 1 DLX Trainer • Includes Travel, Hotel, and Food for trainer	1	\$1,250.00	\$1,250.00
CCA12AP	ASAP-12 AIR PLENUM • ASAP-12 Air Plenum (12') • Carry Bag	1	\$603.87	\$603.87
CCA18AP	ASAP-18 AIR PLENUM • ASAP-18 Air Plenum (18') • Carry Bag	1	\$738.80	\$738.80
			SUBTOTAL	\$51,883.71
			SHIPPING	\$2,316.41
			DISCOUNT	\$0.00
			TAX	\$0.00
			TOTAL	\$54,200.12

Price Tier	Factory Direct
Expiration Date	10/28/2020
Sales Rep	Jean-Louis Gomes 910-551-2804

Terms & Conditions

1. QUOTATION: is Valid for 90 days, any modifications may result in re-quotation.
2. PRODUCTION: Position in the production schedule is not reserved until acceptance of a valid Purchase Order.
3. PAYMENT TERMS: Government Entity Net 30, payment in full. International/Distributor & Private parties are 50% upfront and the remaining 50% prior to shipment.
4. FREIGHT: is estimated and charges based on FOB Eugene, Oregon 97402 unless otherwise specified. All weights are approximate.
5. TAXES: Deployed Logix (DLX) is registered in the State of Oregon and has no sales tax. DLX may be responsible to collect any State/Local Sales and/or Service Tax generated by this transaction. Any taxes assessed will be included on the invoice created by DLX as an additional cost and are not reflected in the quote above. Determination of applicable taxes cannot accurately be estimated until the transaction is processed as tax rates may change after this quotation has been issued.
6. PURCHASE ORDERS: valid PO's must be submitted for processing, verbal Purchase Orders will not be accepted.
7. WARRANTY: Deployed Logix products are warranted with a limited three-year warranty for all handmade products it manufactures. The warranty on workmanship is limited to defects at the time of manufacturing and does not cover general wear and tear. Component manufacturer's warranty may be less then or exceed that of Deployed Logix.
8. CREDIT CARD PAYMENTS: are subject to a 3% processing fee for Visa & Master Card and 5% for American Express.
9. PAST DUE ACCOUNTS: are subject to a 1.5% late charge per month.
10. GSA: contract items available under the GSA Schedule of General Scientific Sources.

§ 143-129. Procedure for letting of public contracts.

(e) Exceptions. - The requirements of this Article do not apply to:

(6) Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. Notwithstanding any other provision of this section, the governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract.

Date: March 17th, 2020

**STATEMENT OF SOLE SOURCE
DLX ENTERPRISES, LLC “dba” DEPLOYED LOGIX
520 S. BERTELSEN
EUGENE, OR 97402**

To: Whom it may concern

From: JJ Urhausen, President of Deployed Logix®

This letter is to confirm that DLX Enterprises, LLC “dba” Deployed Logix® is the EXCLUSIVE owner, manufacturer, designer, and sole-source provider of products protected by intellectual property, patent protection, registered trademarks, trade secrets and copyright materials from the Deployed Logix product line.

EXCLUSIVE RIGHTS:

Deployed Logix is the owner of patents, registered trademarks, and copyright material of the ASAP® and X-Series® shelter lines and other specific products unique to the Deployed Logix product line that are exclusively offered by Deployed Logix. Said products possess functions and capabilities that are critical to mission requirements. See list below of patents, patent pending, trademarks, and copyright material and products.

EXCLUSIVE DESIGN:

The Deployed Logix product line utilizes unique designs, product molds, intellectual property and trade secret technology that are exclusive to Deployed Logix. Said designs are unique to Deployed Logix and offer a unique functionality and capability for mission requirements and success.

- **ASAP® Rapid Shelter:** The patented ASAP® shelter line is the only rapidly deployable shelter of its size and speed in the market place that only takes two (2) people to setup in less than 5-minutes (US Patent # 10309093). The ASAP® brand is a registered trademark and all manuals and training videos are protected by copyright.
- **ATLAS® Anchor:** The patented ATLAS® Anchor is a non-impact anchoring device that can be used with water, sand, gravel, etc. and is compatible with any shelter in the industry (US Patent # 9644391). The ATLAS® Anchor is owned, designed and exclusive from Deployed Logix. The ATLAS® brand is a registered trademark.
- **DLX Hard Cases:** The hard cases for the Deployed Logix product line are patent protected (US Patent # 7537119). The hard cases used for the ASAP® and X-Series® shelter lines are unique to only Deployed Logix.
- **X-Series® Shelter:** The X-Series shelter line is in the process for patent pending.

ENHANCEMENT OF EXISTING EQUIPMENT:

Deployed Logix has several products that are unique to its product line enhances the functionality and capability of mission requirements.

- **ASAP® Decontamination Shower:** Deployed Logix offers decontamination shower products that allow users to adapt the capability and function of the ASAP® or X-Series® shelters into a decontamination shower at a moment's notice. Decontamination showers can be purchased at the same time of original purchase or as an optional upgrade with no special tools needed at a future date.
- **ASAP® Hygiene Shower:** Deployed Logix offers hygiene shower products that allow users to adapt the capability and function of the ASAP® or X-Series® shelters into a decontamination shower at a moment's notice. Hygiene showers can be purchased at the same time of original purchase or as an optional upgrade with no special tools needed at a future date.
- **Shelter Connectors:** Deployed Logix owns designs for connecting the ASAP shelters, X-Series shelters, and other competitor shelters to either shelter line. The shelter connectors, ASAP-HUB, and X-HUB allow the capacity to connect multiple shelters into a larger complex at a moment's notice. The shelter connectors, ASAP-HUB, and X-HUB can be purchased at the same time of original purchase or as an optional upgrade with no special tools needed at a future date.
- **ASAP® Rigid Door:** Deployed Logix offers an accessory upgrade/enhancement product called the ASAP® Rigid Door that allows user to adapt the door entry of ASAP® Rapid Shelter and is interchangeable with the X-Series® Shelter line. The ASAP Rigid Door can be purchased at the same time of original purchase or as an optional upgrade with no special tools needed at a future date.
- **Climate Control Solutions:** Insulation liners, air plenums, HVAC and heaters that have been designed to integrate directly with the ASAP and X-Series shelter lines.
- **Water Logix Solutions:** Water filtration, distribution and containment solutions designed to compliment and integrate with the ASAP and X-Series shelter lines to support decontamination use, hygiene showers, and sinks.
- **Power Logix® Solutions:** Power solutions for delivery of power generation, distribution and delivery of power to the ASAP and X-Series shelter lines.

REPLACEMENT OF EQUIPMENT AND REPAIR PARTS:

When needed upon request Deployed Logix offers replacement parts and equipment that may or may not be under warranty. Regardless of warranty coverage many key replacement parts are exclusive to Deployed Logix and protected by patent, patent pending, trademarks, copyright or intellectual property.

TECHNICAL SERVICE & TRAINING:

When needed upon request or included with purchase Deployed Logix offers technical service and training for users to enhance use and mission success. Shelter deployment and base camp management is a highly technical requirement for successful missions and paramount for the longevity and life of the product.

SOLE SOURCE DISTRIBUTION:

Deployed Logix EXCLUSIVELY sells direct to end users and maintains control of direct sales to all private, local, state, federal and international customers. Deployed Logix has chosen a direct sales approach as a corporate strategy to protect quality assurance, customer service, warranty, technical service, fair prices and training. Approval for any third party sell or distribution of Deployed Logix products must be approved by Deployed Logix on a singular unique bases and must be signed and approved by the president of Deployed Logix. Please see the product list below of the Deployed Logix product line that is manufactured, owned, sold, designed, and distributed exclusively by Deployed Logix.

*See additional page for itemized list of products that are only available and sold by Deployed Logix®.

Should you require further information, please give me a call at (541)357-5978.

Sincerely,



JJ Urhausen
President and Owner
Deployed Logix
(541)337-3608
jjurhausen@deployedlogix.com