

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 3, 2023

SUBJECT: Local Assistance and Tribal Consistency Fund Purchase

PRESENTER: Jimmy Brissie, Emergency Services Director

ATTACHMENTS: Yes

1. Budget Amendment
2. Quote from Vendor
3. N.C.G.S. 143-129 (e)(6)
4. Sole Source Confirmation from Vendor

SUMMARY OF REQUEST:

During 2021 the American Rescue Plan allocated Local Assistance and Tribal Consistency Funds (LATCF) to eligible revenue sharing counties and eligible Tribal governments for FY22 and FY23. These funds may be used for any eligible purpose, which includes disaster response and recovery activities. In total, \$100,000 was awarded to Henderson County.

During 2021 a large disaster response shelter owned by Henderson County was damaged during operations. An evaluation by the repair facility indicated the structure was unrepairable. This drive through shelter has been used for distribution of commodities during disasters, as a portable shelter for community events and in response to emergencies. With this capability lost a replacement shelter system was included in the four-year plan. During a review of potential projects for LATCF funding this project was selected for submission.

Staff solicited proposals for a drive through shelter system compatible with existing shelters. The proposed system includes a shelter (sized for two cars) and a self-contained trailer with generator and HVAC system. This system also includes the necessary connections to integrate into the County's remaining shelters as well as shelters in use by counties across Western North Carolina.

The Board is requested to allocate LATCF funds for the project and 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). Additional funds will be allocated from the Emergency Management budget for the remaining costs of this project.

The sole bid was received from DLX Enterprises for a total price of \$113,733.07. They are the only authorized dealer in the United States for their series of Tents and Accessories specifically needed to match existing tents in the County's inventory as well as those in use by surrounding counties. By purchasing from the same vendor, we will insure compatibility with existing tents and accessories.

BOARD ACTION REQUESTED:

The Board is requested to allocated funds for the project, authorize the necessary budget amendments, 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 allocate the LATCF and local funds for the project, authorize the necessary budget amendments and award the purchase contract for an emergency support tent and accessories to the sole bidder, DLX Enterprises for \$113,733.07 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).



DLX Enterprises, LLC
 Deployed Logix
 1075 Arrowsmith St.
 Eugene, OR 97402

Quote

DATE	ESTIMATE #
3/7/2023	1247850

BILL TO
NC // Henderson County Emergency Management Henderson County Emergency Management 2529 Asheville Hwy Hendersonville, NC 28793

SHIP TO
NC // Henderson County Emergency Management Henderson County Emergency Management 2529 Asheville Hwy Hendersonville, NC 28793 tmcfalls@hendersoncountyrescue.org (828) 692-3487

Item	Description	Qty	Rate	Amt
SXMRP40SCHCT	X-40 SIDE CONNECT // TAN // MISSION READY PACKAGE <ul style="list-style-type: none"> • X-40 Aircraft grade aluminum frame 20 x 40 ft (6.10 x 12.19 m) • Mil Spec blackout vinyl • LED stringable lights • Protective vinyl carry bags • Wiring Harness (110V) • ATLAS® Anchors • (2) Side walls • (2) End walls • (1) Roof • (1) Insulation liner w/ radiant barrier aluminized backing • (1) Waterproof vinyl floor • (1) Stake kit • (1) Repair kit • (3) Best Case by DLX™ Earth w/ table kit 101 x 25 x 24 in (256.86 x 63.50 x 60.96 cm) 	1	\$42,493.95	\$42,493.95
CCX40AP	X-40 AIR PLENUM <ul style="list-style-type: none"> • Air Plenum, 40 ft (12.19 m) • Carry Bag 	1	\$983.35	\$983.35
SOIDP2	SHELTER ID PANELS <ul style="list-style-type: none"> • Removable identification panels (2) • Customizable & waterproof 	1	\$143.55	\$143.55
SODTEW20	DRIVE TROUGH END WALL <ul style="list-style-type: none"> • Two drive through end walls with 108" opening 	1	\$2,712.97	\$2,712.97
GET-HX	GET-HX // FLATDECK TRAILER WITH STORAGE COMPARTMENTS <ul style="list-style-type: none"> • Independent, torsion elastic, shock mounted suspension • Durable E-coat finish provides superior corrosion protection 5.0 TON HVAC • 60 x 35.5 x 47.5 inch (152.40 x 90.17 x 120.65 cm) • 230V single phase / 60 Hz • Finish powder coated cabinet 	1	\$58,999.35	\$58,999.35

	<ul style="list-style-type: none"> • Thermostat • (2) Ducts, 25 ft (14" in diameter) 15 kVA // Single PHASE <ul style="list-style-type: none"> • 14 kW generator • 120/240V Single-phase / 60Hz • Steel, sound attenuated, weatherproof & lockable housing • 63 dB(A) noise level 			
TGDLX1	DLX TRAINING 1 Day <ul style="list-style-type: none"> • (1) DLX trainer • (1) Day (up to 8 Hrs) DLX equipment instruction on setup/ takedown/ packing/ care & maintenance 	1	\$2,490.00	\$2,490.00
Shipping and Handling	Charges are for transportation, packaging materials and handling May or may not include the following incidental costs: Freight costs, pallets, crates, plastic wrap, custom straps, etc	1	\$5,909.90	\$5,909.90
			SUBTOTAL	\$113,733.07
			SHIPPING	\$0.00
			DISCOUNT	\$0.00
			TAX	\$0.00
			TOTAL	\$113,733.07

Price Tier	Factory Direct
Artwork	YES
Liftgate	NO
Receiving Hours	M-F 8-4
Receiving Point of Contact	Timothy D. McFalls // 828-697-4528
Expiration Date	5/5/2023
Sales Rep	Jean-Louis Gomes 541-229-9260

Terms & Conditions

1. QUOTATION: is Valid for 30 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. 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.



DEPLOYED LOGIX
SHELTERS
 THE FIRST IN THE FIELD

X-SERIES SIDE CONNECT

- **NEW MODEL X-SERIES FOR INFINITE FLEXIBILITY.**
- **CONNECTS TO ANY MODEL OF ASAP® OR X-SERIES.**
- **MAXIMIZES FOOTPRINT OF YOUR SHELTER COMPLEX.**
- **MULTI-USE: ENTRY POINT OR CONNECTION CORRIDOR.**

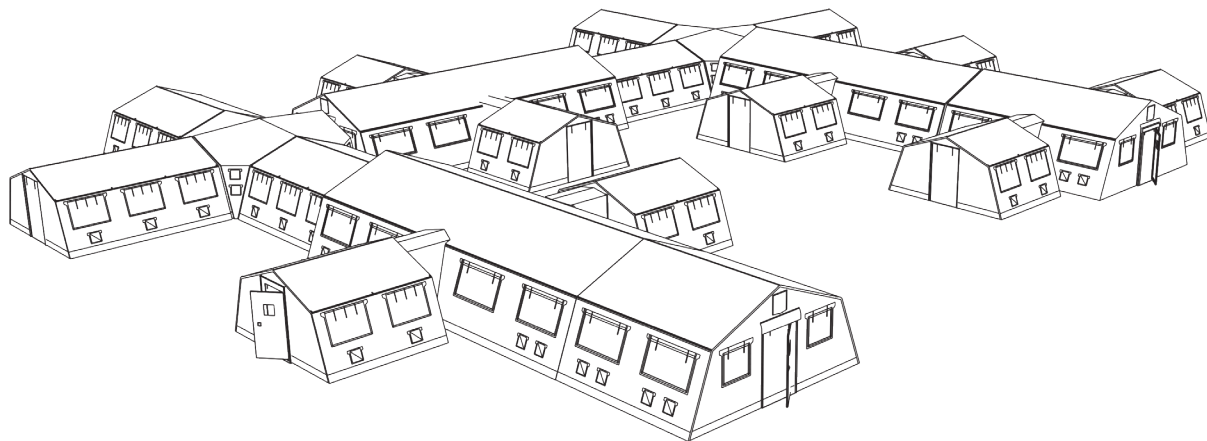
At Deployed Logix we're redefining rapid deployment. Through our extensive work with law enforcement, search and rescue teams, various first responders, private organizations both domestically and abroad, and the military, our team understands that when a crisis calls, seconds count. Discover why we are the leader in American-made, rapidly deployable disaster preparedness products.



Specification and design may be altered without notice due to continuous product development. LAST UPDATED AUGUST 2022.

Proudly made in the USA.
 CAGE CODE: 7CFK2 | DUNS#: 079751064

X-SERIES SIDE CONNECT SPECIFICATIONS		
MODEL:	X-24SC	X-40SC
DIMENSIONS (L X W X H):	24.27 x 23.60 x 10 ft (7.40 x 7.19 x 3.05 m)	40.31 x 23.60 x 10 ft (12.29 x 7.19 x 3.05 m)
USABLE SHELTER AREA:	545.37 ft ² (50.67 m ²)	894.24 ft ² (83.08 m ²)
FOOTPRINT AREA:	572.77 ft ² (53.21 m ²)	951.32 ft ² (88.38 m ²)
FOOTPRINT AREA W/ STAKING:	1,151.47 ft ² (106.98 m ²)	1,690.42 ft ² (157.04 m ²)
DOORS:	4	4
WINDOWS (SIDEWALLS // ENDWALLS):	4 // 4	8 // 4
ECU DUCTS:	4 sets	4 sets
STOVE PIPE VENTS:	optional	optional
PERSONNEL REQUIRED:	3 minimum // 4 preferred	6 minimum // 8 preferred
SET UP TIME:	<15 minutes	<25 minutes
SNOW AND RAIN LOAD:	Snow: 10 lb/ft ² (48.8 kg/m ²) Rain: 2 in/hr (50.8 mm/hr)	
WIND RATING:	65 mph, gusts 75 mph (104 kmh, gusts 120 kmh)	
SHELTER WEIGHT:	840 lb (381 kg)	1149 lb (521 kg)
TOTAL SYSTEM WEIGHT:	1170 lb (531 kg)	1649 lb (748 kg)
FRAME SECTION:	4 total	6 total
ROOF:	1 total	1 total
ENDWALL:	2 total	2 total
SIDEWALL:	2 total	2 total





TRAILERS

VERSATILITY FOR VERSATILE NEEDS.

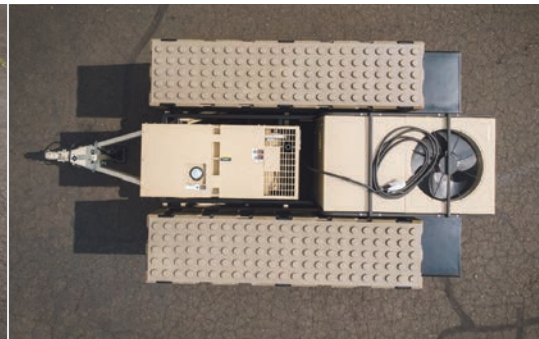
GET-HX TRAILER

- COMES STANDARD WITH: (1) 5.0 TON HVAC, (1) 15 KW GENERATOR (SHELTERS SOLD SEPARATELY).
- THE CONVENIENCE OF A MISSION-READY PACKAGE ON A SINGLE READY-TO-TOW TRAILER.
- COMPATIBLE WITH MOST HEAVY-DUTY TRUCKS OR VANS AND ANY HITCH TYPE.
- FEATURES A DEXTER TORFLEX AXLE SYSTEM.

At Deployed Logix we're redefining rapid deployment. Through our extensive work with law enforcement, search and rescue teams, various first responders, private organizations both domestically and abroad, and the military, our team understands that when a crisis calls, seconds count. Discover why we are the leader in American-made, rapidly deployable disaster preparedness products.

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GET-HX TRAILER SPECIFICATIONS

DIMENSIONS (LENGTH X WIDTH): 185 x 91 in (469.90 x 231.14 cm)

TRACK WIDTH: ~ 77 in (195.58 cm)

GROUND CLEARANCE: ~ 17 - 22 in (43.18 x 55.88 cm)

FEATURES:

- Built-in storage compartments and light strips
- Electric brakes
- Steel construction with a durable powder coat finish
- Dexter torflex axle system
- Compatible with various hitch types - many options available
- Rugged all-terrain tires

5.0 TON HVAC SPECIFICATIONS

DIMENSIONS: 60 x 35.50 x 47.50 in (152.40 x 90.17 x 120.65 cm)

ELECTRICAL: 230V Single phase // 60 Hz

COOLING CAPACITY: 62,000 BTU/hr

FEATURES:

- Powder-coated cabinet
- Trailer mounted

INCLUDES:

- (1) Thermostat
- (1) Protective vinyl cover
- (2) Ducts, length: 15 ft (4.57 m), diameter: 10 in (25.40 cm)

15 KVA MQ POWER GENERATOR SPECIFICATIONS

DIMENSIONS: 56.50 x 26 x 36 in (143.51 x 66.04 x 91.44 cm)

ELECTRICAL: 120/240V Single phase // 60Hz // 14 kW

FEATURES:

- Steel
- Sound attenuated
- Weather-resistant & lockable housing
- Trailer mounted

ENGINE TYPE: Gen 14kW Kubota Tier 4

NOISE LEVEL: 63 dB(A)



- (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.

In the case of purchases by hospitals, in addition to the other exceptions in this subsection, the provisions of this Article shall not apply when: (i) a particular medical item or prosthetic appliance is needed; (ii) a particular product is ordered by an attending physician for his patients; (iii) additional products are needed to complete an ongoing job or task; (iv) products are purchased for "over-the-counter" resale; (v) a particular product is needed or desired for experimental, developmental, or research work; or (vi) equipment is already installed, connected, and in service under a lease or other agreement and the governing body of the hospital determines that the equipment should be purchased. The governing body of a hospital shall keep a record of all purchases made pursuant to this subdivision. These records are subject to public inspection.

Date: March 9th, 2023

**STATEMENT OF SOLE SOURCE
DLX ENTERPRISES, LLC “dba” DEPLOYED LOGIX
1075 Arrowsmith Street
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.



541.357.5978 // DEPLOYEDLOGIX.COM

STATEMENT OF SOLE SOURCE

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