

## **"SOLE SOURCE" PROCUREMENT JUSTIFICATION**

Sole source purchases are goods and services available from only one vendor. There may be just one vendor because of patents or copyrights or simply because the vendor is the only one which supplies the good or service. Using Department must provide a written explanation as to why only this particular product/service is acceptable and why no other will be suitable or acceptable to meet the need. A quote must accompany this form.

Department name: Sunland Park Fire Department

1. Name of product or service: Gemini S1, English, Gray Boot
2. Name of product manufacturer: ThermoFisher Scientific
3. Name of "sole" product supplier or service provider: ThermoFisher Scientific
4. Describe in general terms the product/service you are requesting and the intended application.

1 ThermoFisher Scientific Portable Analytical Instrument Gemini S1

The Sunland Park Fire Department is requesting purchase of the awarded Gemini S1 which will be utilized in Hazardous Materials response to sample and identify unknown solids and liquids for Chemical warfare agents (CWA's), narcotics, explosives, TICs, pesticides, white powders etc. This equipment will be available to LCFD and DACFES for Mutual Aid Hazmat Response in Dona Ana County.

5. Describe the unique features/capabilities/characteristics that distinguish it from other products/services.

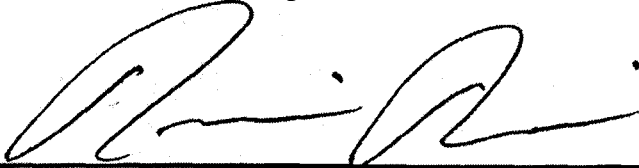
The Gemini S1 Handheld Analyzer is the only single handheld analyzer which both integrates Raman and FTIR Spectroscopy for identification of unknown solid and liquid chemicals and explosives. This will allow a single handheld analyzer to be taken down range during a Hazmat Response versus having to carry multiple devices down to have the same capabilities. The technology is compatible with our regional needs and the software utilized is proprietary to ThermoFisher Scientific.

6. How did you determine there was only one source for the product or service? Provide information on the research that was performed to locate suppliers for this product(s) or service(s). (Please furnish names, addresses and other documentation).

Made contact with Bill Kotowski at ThermoFisher Scientific who provided the Sole Source documentation letter which has been submitted to the LC OEM for justification. ThermoFisher Scientific is the sole distributor of this device and no other company has access to utilize the proprietary software.

7.7. What product, supplier or service provider has your Department used until now to satisfy similar requirements?

The Sunland Park Fire Department has no current capability to satisfy the need for a dual Raman/FTIR Spectroscopy capability. We currently have an outdated, non-functional Hazmat ID with original software which sits in the trailer unable to be utilized in a Hazmat Response.



7-29-19

Signature of Department Head

Date

(Attach Quote and Use Additional Sheets As Necessary)

\*\*This form is used by Purchasing Department to determine if a "Sole Source" procurement criterion is met. Completing this form does not guarantee approval of this type of procurement.

Thermo Scientific Portable Analytical Instruments, Inc.  
2 Radcliff Rd.  
Tewksbury, MA 01876  
978-657-5555 phone  
978-657-5921 fax

March 19, 2018

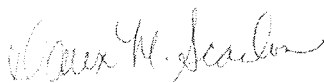
RE: Request for Sole Source / Sole Brand Justification

To whom it may concern,

The purpose of this letter is to provide additional justification for why Thermo Scientific Portable Analytical Instruments Inc. ("Manufacturer") is the sole source service provider for its Thermo Scientific™ handheld chemical analyzers ("Safety and Security Products"). Such Safety and Security Products deliver rapid, field-based identification of unknown chemicals, explosives, and chemical weapons, as well as narcotics directly from within the hazard zone and provide specific, actionable data—enabling first responders, national security, and military organizations to act quickly and decisively.

Thermo Scientific Portable Analytical Instruments Inc. is the sole manufacturer of the FirstDefender RMX, RM, TruDefender FTX, FTXi, FT, FTi, Gemini and TruNarc from its sole manufacturing location at 2 Radcliff Rd Tewksbury, Massachusetts USA. These devices utilize the proprietary chemometrics and DecisionEngine 2.0 MX analysis software also produced solely by Manufacturer. No other device of this kind on the market can make use of this software as it would be a violation of intellectual property protections held by Manufacturer. Additionally, Manufacturer has developed a rugged handheld chemical identification system for solids and liquids that uses both FTIR and Raman technologies known as Gemini. Gemini is the first and only handheld that offers both Raman & FTIR technologies as well as scan delay for both Raman & FTIR.

Due to their mission critical applications Manufacturer utilizes the expertise of its trained technicians and engineering staff to perform all necessary repairs. Additionally, the technicians must utilize proprietary software, intellectual property (technical documentation), calibration files and algorithms, as well as specialty tooling designed by Manufacturer in order to properly repair the Safety and Security Products in accordance with published specifications. For those reasons, coupled with complexity and overall safety, Manufacturer, is the sole service provider for our Safety and Security Products possessing unique qualifications and/or specialized capabilities or expertise that is not available in the marketplace.



**Dawn M. Scanlon**  
Thermo Scientific Portable Analytical Instruments Inc.  
Sr. Contracts Manager  
**Thermo Fisher Scientific**

# Sales Quotation

Thermo Scientific Portable  
Analytical Instruments Inc.

2 Radcliff Rd  
Tewksbury, Massachusetts 01876  
United States

| Quote Number               | Created Date | Exp. Delivery Terms | Page       |
|----------------------------|--------------|---------------------|------------|
| 00182210                   | 06/20/2019   | ARO                 | 1 / 5      |
| Contact:                   | Phone        | Payment Term        | Valid To   |
| Bruce Gentner              |              | Net 30              | 11/29/2019 |
| Inco Terms                 |              | Shipping Method     |            |
| FOB Origin - Tewksbury, MA |              | Fed Ex Overnight    |            |

## Submitted To:

Dennis Schoen  
Captain  
Sunland Park Fire Department  
1030 Monutt Rd  
Sunland Park, New Mexico 88063  
United States

Phone: (575) 589-2302

Email: dennis.schoen@sunlandpark-nm.gov

THANK YOU FOR YOUR INTEREST IN THERMO SCIENTIFIC  
INSTRUMENTATION

## To Place an Order:

Contact: Bruce Gentner

Phone:

Fax:

Email: bruce.gentner@thermofisher.com

Additional instructions, terms & conditions on last page

| Pos.   | Product Code | Product Name                   | Discount | Sales Price   | Quantity | Total Price   |
|--|--------------|--------------------------------|----------|---------------|----------|---------------|
| 1.00   | 800-05011-01 | Gemini S1, English, Gray Boot  | 15.00%   | USD 85,850.00 | 1.00     | USD 85,850.00 |
| List Price: USD 101,000.00<br>Gemini: Rugged handheld system integrating Raman and FTIR spectroscopy for identification of unknown solid and liquid chemicals and explosives. Including 1 year Warranty, 1 year Support, and On-Site Training within the Continental United States (CONUS; One 4-hour course per instrument for up to 12 students. Expires 9 months after date of purchase). |              |                                |          |               |          |               |
| 2.00   | 820-00188-01 | Promotion, Competitor Trade-In | 0.00%    | USD 0.00      | 1.00     | USD 0.00      |
| List Price: USD 0.00<br>Discount against purchase of a Safety & Security product with the trade-in of a competitor instrument.   |              |                                |          |               |          |               |
| Total Discount:  |              |                                |          | USD 15,150.00 | Total:   | USD 85,850.00 |

Important Note: Please issue POs to Thermo Scientific Portable Analytical Instruments Inc

Federal Tax ID No.: 01-0650031

CAGE CODE: 392A9

DUNS #: 11-289-3131

Bank of America ABA# for Wire Payments: 026 009 593

Bank of America ABA# for ACH Payments: 111 000 012

Beneficiary Account Number: 4426843850

When applicable, commodities, technology, or software to be provided in furtherance of this order shall be exported from the United States in accordance with applicable U.S. export laws or regulations. Diversion contrary to US law prohibited. Unless otherwise agreed to in writing, Thermo Scientific Portable Analytical Instruments Inc. terms and conditions shall apply and take precedence.

**ThermoFisher**  
SCIENTIFIC