Exhibit A-5
SOLE SOURCE FACILITY JUSTIFICATION TRANSMITTAL

Public Contract Code section 3400 provides, in pertinent part, that:

"(a) The Legislature finds and declares that it is the intent of this section to encourage contractors and manufacturers to develop and implement new and ingenious materials, products, and services that function as well, in all essential respects, as materials, products, and services that are required by a contract, but at a lower cost to taxpayers.

(b) No agency of the state, nor any political subdivision, municipal corporation, or district, nor any public officer or person charged with the letting of contracts for the construction, alteration, or repair of public works, shall draft or cause to be drafted specifications for bids, in connection with the construction, alteration, or repair of public works, (1) in a manner that limits the bidding, directly or indirectly, to any one specific concern, or (2) calling for a designated material, product, thing, or service by specific brand or trade name unless the specification is followed by the words "or equal" so that bidders may furnish any equal material, product, thing, or service. In applying this section, the specifying agency shall, if aware of an equal product manufactured in this state, name that product in the specification. Specifications shall provide a period of time prior to or after, or prior to and after, the award of the contract for submission of data substantiating a request for a substitution of "an equal" item. If no time period is specified, data may be submitted any time within 35 days after the award of the contract.

(c) Subdivision (b) is not applicable if the awarding authority, or its designee, makes a finding that is described in the invitation for bids or request for proposals that a particular material, product, thing, or service is designated by specific brand or trade name for any of the following purposes:

(2) In order to match other products in use on a particular public improvement either completed or in the course of completion."

Clow Resilient Wedge Gate Valves

This is a sole source procurement because:

- ☐ This is a sole provider of a licensed, copyrighted or patented good or service.
- ☐ This is a sole provider of items compatible with existing equipment or systems.
- ☐ This is a sole provider of factory-authorized warranty service.
- ☑ This is a sole provider of goods or services that perform a unique function in order to meet the specialized needs of the District. Please provide specific detail below.

  The Clow resilient wedge gate values compiles with AWWA C509 specs where applicable. Value is rated at 250 psi working pressure. Valve is capable of bubble-tight seal at twice the rate pressure (500 psi) for short periods of time. Rubber to iron bond on wedge is inspected for strength as per ASTM D429-73 specification.

☑ There are overriding circumstances upon which the Board can find that the exception found in Public Contract Code section 3400 (c) (2) applies to the identified product(s). Please provide specific detail below as to what those circumstances are, and why this sole source procurement would be in the best interest of the District.

The District standardized the Clow Resilient Wedge Gate Valves in 2006. The risk factors and challenges stated below present overriding circumstances which would negate the benefit that any competitive bid could offer:

- Given that these devices are above ground, this style resilient wedge gate valve is tamper proof.
- Only one style service keys is needed for all gate valves throughout all MiraCosta campuses.
- The product has the capacity to seal at twice the rate pressure for short periods of time making this make and model and superior produce to other resilient wedge gate valves.

What steps were taken to verify that these goods or services are not available elsewhere?

The grounds crew spent a few years in early 2000 working with other resilient wedge gate valves and after a few years of trial and error on all three campuses, the District begin standardizing on this make and model in 2006.

See Supplier and Contractor Information Page Below For Contact Details.

This is a restricted brand or trade name, and no substitutions are allowed because:

☑ The requested product is an integral repair part or accessory compatible with existing equipment or systems.

Existing Equipment/System: Resilient Wedge Valve
Manufacturer/Model Number: Clow, Model #s2639 and 2640

☑ The District has standardized on the requested product, and use of another brand/model would require considerable time and funding to evaluate or implement. Please provide additional detail below.

The District standardizing on this resilient wedge valve requires only one style service key needed on all three campuses.
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Supplier or Contractor Information:

Clow Valve Company
902 South 2nd Street
Oskaloosa, IA 52577

(800) 829-2569
(614) 673-8269

RECOMMENDATION

Sufficient evidence has been provided upon which the Board can find that the exception found in Public Contract Code section 3400 (c) (2) applies to the identified product(s). Approve a finding to authorize use of the above stated exception for Clow Resilient Wedge Gate Valves in the MiraCosta Design Standards Manual for all the projects in the MM program. Require that said finding be included in all pertinent bid/proposal documents for those projects where such product(s) will be used.

SIGNATURE:

Tom Macias, Facilities Director	4/23/19 **Date**
Geoff Bachanas, PMO Director	4/23/19 **Date**

steinberg hart

Exhibit B-5
SOLE SOURCE ARCHITECT/ENGINEERING JUSTIFICATION SUMMARY REPORT TRANSMITTAL

Steinberg Hart
125 S Market Street, Suite 110
San Jose, CA 95113

September 1, 2018

Re: Clow Resilient Wedge Gate Valves

Within the Design & Construction Standards MiraCosta CCD has identified or designed various proprietary systems or products that meet specific District performance requirements, allow for seamless integration into existing systems, provide ease of maintenance, and afford a lower total cost of ownership. In these instances, the District is requesting that these systems and products shall be provided without substitution. The following Specification Section 34 14 00 is one that meets these special requirements.

Our experience working with other Colleges and Universities shows that single sources for some materials, products, equipment, and systems is a common approach to achieving best value.

We have reviewed the facility justification transmittal for the above-referenced item and believe that the District's sole-sourcing of this specification section meets the requirements for District's benefit as described above.

Sincerely,
Steinberg Hart

Rob Barthelman
Principal

CLOW AWWA Resilient Wedge Gate Valves Meet or Exceed the Requirements of AWWA Standard C509

Size Range	Water Working Pressure psi	Bubble Tight Test psi	Hydrostatic Shell Test psi
AWWA 2"–12"	250	250	500
ULFM 4"–12"	200	200	400

Available in either non-rising stem, outside screw & yoke.

Available End Connections & Size Range		Figure No.
FLG End (NRS)	2"–12"	F-6102
M.J.	2"–12" (except 2 1/2")	F-6100
FLG & M.J.	3"–12"	F-6106
Push-on for PVC (SDR)	2"–8"	F-6110
FLG End (OS & Y)	2 1/2"–12"	F-6136
M.J. for Tapping	4"–12"	F-6114
Tyton for D.I. & C900 PVC	4"–12"	F-6112
M.J. Cutting-in	4"–12"	F-6111
Push-on for D.I. X FLG	4"–12"	F-6113
Threaded	2"–3"	F-6103
Push-on for C.I. for Tapping	4"–8"	F-6115

Accessories (Illustrated in the Gate Valve Section)

Indicator Posts
"T" Handles
Stem Guides
Electric Motor Actuators
2" Sq. Operating Nuts
Handwheels
Extension Stems
Floor Boxes
Chain Wheels
Floorstands (non-rising stem)

MODEL	2639	AWWA	C509	FULL BODY DUCTILE IRON
MODEL	2640	AWWA	C509	FULL BODY GRAY IRON

Complies with applicable requirements of AWWA C509

2"-12" R/S VALVE
MATERIAL LIST

CLOW VALVE COMPANY

MODEL 2639

ITEM	DESCRIPTION	MATERIAL	ASTM SPEC.
1	Hex Head Bolt	Stainless Steel	ASTM F593 304 SST
2	Flat Washer	Stainless Steel	304 SST
3	Operating Nut	Gray Iron	ASTM A126 Cl B
4	Hex Head Bolts & Nuts	Stainless Steel	ASTM F593/4 304 SST
5	Follower Plate	Ductile Iron	ASTM A536 65-45-12
6	Stem O-Ring	EPDM	-----
7	Follower Plate O-Ring/gasket	EPDM	-----
8	Thrust Washer Bearing	Delrin	-----
9	Hex Head Bolts & Nuts	Stainless Steel	ASTM F593/4 304 SST
10	Stem	Bronze	ASTM B584 C86700
11	Indicator Post Plate (Optional 3-12")	Gray Iron	ASTM A126 Class B
12	Cover	Ductile Iron	ASTM A536 65-45-12
13	Cover O-Ring	EPDM	-----
14	Stem Nut	Bronze	ASTM B584 C83600
15	Wedge	Gray Iron & EPDM	ASTM A126 Cl B
16	Body - all types	Ductile Iron	ASTM A536 65-45-12
17	Pipe Plug (Optional Some Styles)	Stainless Steel	-----

2639-02
C 7/19/05

2"-12" R/W VALVE FLANGED ENDS GENERAL DIMENSION

CLOW VALVE COMPANY

MODEL 2639 & 2640

F-6102

VALVE SIZE	A	B	C	D	E	F	G	H
2	7	3½	6	⅝	10⅞	4-⅝	7¼	2
2½	7½	3¾	7	11/16	11⅜	4-⅝	7¼	2½
3	8	4	7½	¾	12⅜	4-⅝	10	3
4	9	4½	9	15/16	14¾	8-⅝	10	4¼
6	10½	5¼	11	1	19	8-¾	12	6¼
8	11½	5¾	13½	1⅛	22½	8-¾	14	8¼
10	13	6½	16	1 3/16	26½	12-⅞	18	10¼
12	14	7	19	1¼	30	12-⅞	18	12¼

2"–12" R/W VALVE AWWA SERVICE

Performance Information

CLOW VALVE COMPANY

MODEL 2639 & 2640

1. Valve complies with AWWA C509 specs where applicable.
2. Valve is rated at 250 psi working pressure.
3. Valve is bubble-tight at all pressures up to full rated pressure (250 psi).
4. Valve is capable of bubble-tight seal at twice the rate pressure (500 psi) for short periods of time.
5. 2" thru 12" valve sizes have been hydrostatically shell tested at 2.5 times the rated pressure (625 psi).
6. Valve has been subjected to torques 150 percent of the designated minimum required torques.
7. Valve has been cycle tested 5,000 times without loss of bubble-tight seal.
8. Rubber to iron bond on wedge is inspected for strength as per ASTM D 429-73 specification.

RESILIENT WEDGE GATE VALVES

Recommended Specifications

CLOW VALVE COMPANY

MODEL 2639 & 2640

Valves shall conform to the latest revision of AWWA Standard C-509 covering resilient wedge gate valves.

The valves shall be either, **non-rising stem or rising stem**, opening by turning stem **left or right** and provided with **2" square operating nut or handwheel** with the word **Open** and an **Arrow** cast in the metal to indicate direction to open.

The wedge shall be of cast iron completely encapsulated with rubber.

The sealing rubber shall be permanently bonded to the cast iron wedge to meet ASTM tests for rubber metal bond ASTM D429.

Stems for NRS assemblies shall be cast bronze with integral collars in full compliance with AWWA. OS & Y stems shall be bronze. The NRS stem stuffing box shall be the o-ring seal type with two o-rings located above thrust collar and one o-ring below. The two o-rings above the thrust collar shall be replaceable with valve fully open and subjected to full rated working pressure.

There shall be two low torque thrust bearings located above and below the stem collar. The stem nut shall be independent of wedge and shall be made of solid bronze. There shall be a smooth unobstructed waterway free of all pockets, cavities and depressions in the seat area.

The body and bonnet shall be coated with fusion bonded epoxy both interior and exterior, complying with AWWA C550 and be NSF 61 approved. Each valve shall have maker's name, pressure rating and year in which manufactured cast on the body. Prior to shipment from factory, each valve shall be tested by hydrostatic pressure equal to requirement for both AWWA (twice the specified working pressure) and 400 PSI ULFM requirements.