

OKANOGAN COUNTY COMMISSIONERS'

RESOLUTION 155 -2021

WHEREAS, RCW 36.32.270 and RCW 39.04.280(1)(a) and (2)(a) allow Counties to waive competitive bidding requirements for purchases which are clearly and legitimately limited to a single source of supply and Equinox Racing offers a product that meets the exemptions; and

WHEREAS, Okanogan County purchased inner rails from Equinox Racing in 2019 for the Fairgrounds racetrack but did not replace the inner rails at that time; and

WHEREAS, the outer rails of the Fairgrounds racetrack are decrepit causing a safety hazard for spectators and animals; and

WHEREAS, Equinox Racing, as the authorized dealer, is the sole provider of the special rail system products used for racetracks; and

WHEREAS, it is recommended by the Fairgrounds Manager that using the same system and materials provides compatibility of parts and will make the track look more uniform and professional and user-friendly; and

WHEREAS, the attached Sole Source Justification Form, approved by the Chief Civil Deputy of Okanogan County, justifies the use of sole source purchase to one vendor;

BE IT THEREFORE RESOLVED, by the Okanogan County Board of Commissioners that competitive bidding and negotiation is waived for the following purchase:

Equinox Racing Inc.
30 Knightsbridge Rd-Suite 525
Piscataway, NJ 08854
732-336-9736
Information@myequinoxracing.com
Ghassan.ayache@myequinoxracing.com


DATED at Okanogan, Washington this 7th day of December 2021.

ATTEST:


Laleña Johns, Clerk of the Board

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**


Chris Branch, Chairperson


Andy Hover, Member


Jim DeTro, Member



Okanogan County, Washington

SOLE SOURCE JUSTIFICATION FORM

"Sole source" means only one vendor possesses the ability to meet the requirement of the solicitation. Sole source purchases are normally not allowed. The use of sole source purchases shall be limited to instances where necessary for operational compatibility, technical performance needs, or upon a clearly unique and cost-effective feature requirement.

1. Describe the item or service.
Railing for the horse track. This will replace the decrepit outer rail that is a huge safety hazard for spectators and animals at this time.
2. The item is a sole source because:
 - ☒ sole provider of a licensed or patented good or service
 - ☒ sole provider of items that are compatible with existing equipment, inventory, systems, programs or services.
 - ☐ sole provider of factory-authorized warranty service
 - ☐ sole provider of goods or services that will meet the specialized needs of the County or perform the intended function (detail below or in an attachment)
 - ☐ the vendor/distributor is a holder of a used item that would represent Good value and is advantageous to the County (attach information on market price survey, availability, etc.)
3. What necessary features does this vendor provide which are not available from other vendors? Be specific.
The same railing that was used for the inner rail in 2019. Using the same system will allow for compatibility, maintenance, and user-friendliness. Also, the inner rail has proven to be extremely safe and well liked by trainers and owners that utilize the fairgrounds. Having the same material and railing as the inside will make it look more uniform and professional.

4. What steps were taken to verify that these features are not available elsewhere?
- ☐ other brands/manufacturers were examined (list phone numbers and names, and explain why these were not suitable)
 - ☐ other vendors were contacted (list phone numbers and names, and explain these were not suitable):
 - ☐ other (please explain): Research on other vendors was done, but none sell this type of railing in America. Only this company.

Department: Okanogan County Fairgrounds

Department Contact: Naomie Peasley_ Phone: 509-422-1621

Requested Vendor: Equinox Racing

Vendor's Address: ghassan.ayache@myequinoxracing.com Vender Contact: Ghassan Ayache

Phone: 732-336-9736

Cost Estimate: \$38,893.82

If the cost of the sole source procurement is over \$10,000 (including tax), a sole source must be formally declared by the Board of County Commissioners through an approved resolution.

My department's recommendation for sole source is based upon an objective review of the good/service being required and appears to be in the best interest of the County. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favor, or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

Note: This form does not declare a Sole Source. It only documents a department's request that a sole source be declared.



Signature of Department Head or Designee


11-30-21

Date

THIS SECTION TO BE COMPLETED AND SIGNED BY PROSECUTING ATTORNEY'S OFFICE, CIVIL DIVISION

The situation as stated on this form (please check all that apply):

- ☒ does constitute a Sole Source Procurement.
- ☐ does not constitute a Sole Source Procurement.
- ☐ insufficient information for the Prosecutor's Office to form an opinion. (Please state in what way the information is insufficient.)



Prosecuting Attorney, Civil Division

Nov. 30, 2021

Date