

**CHIEF ADMINISTRATIVE OFFICE**  
**Procurement and Contracts Division**

Date Received
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**NON-COMPETITIVE PURCHASE REQUEST JUSTIFICATION**

Required for all (non-emergency) sole source acquisitions in excess of \$5,000.00 and sole source service requests in excess of \$100,000.00.

This justification document consists of three (3) pages. All information must be provided and all questions must be answered. **Department Head approval is required.**

**Requesting Department Information**



Department:	Org Code:	
52-Community Services	531307	
Contact Name:	Subobject:	User Code:
Yvette Wencke	4081	
Telephone:	Fax:	

**Required Supplier / Vendor Information**

Vendor / Supplier Name:	Vendor / Supplier Address:
Oliver Packaging and Equipment Company	3236 Wilson Dr, N.W.
Contact Name:	
Mindy Toner	Walker, Michigan 49534
Estimated Purchase Price/Contract Amount:	Vendor / Supplier Email Address:
	mtoner@oliverquality.com
Telephone:	Fax:
616-356-2950	

Provide a brief description of the request, including all goods and/or services the vendor/supplier will provide and supporting exemption reference from Board Policy C-17 - Procurement Policy:

This request is for the purchase of Senior Nutrition kitchen supplies exempt from competitive bidding in accordance with Board Policy C-17 Procurement Policy C 17, Section 3.5, Specific Written Findings of Fact, to exempt competitive bidding for this Purchase Contract as food supplies are exempt from the competitive bidding process, as competitive processes for such purchases do not produce an economic benefit to the County; and as authorized under Resolution 170-2010 adopted November 9, 2010, by the Board exempting food/kitchen supplies used by HHSA Aging Programs from competitive bidding. Since 2018, the Senior Nutrition Program has utilized Oliver-owned packaging equipment and Oliver trays (compartment paper board food trays with plastic film covering that seals the trays) to package home delivery meals for homebound and frail seniors over age 60, in both Placerville and South Lake Tahoe. Oliver Packaging owns the equipment HHSA uses to heat seal and package the daily food trays.

Department Head:	 <small>Olivia Byron-Cooper (Oct 10, 2023 11:55 PDT)</small>
	Signature
Purchasing Agent:	 Signature

Board of Supervisors:
Date:
Item:

P&C Assignment:
Assigned To:
Date:

**A. The good/service requested is restricted to one supplier for the reason stated below:**

1. Why is the acquisition restricted to this goods/services supplier? (Explain why the acquisition cannot be competitively sourced. Explain how the supplier is the only source for the acquisition.)

Exempt from competitive bidding under Section 3.5, Specific Written Findings of Fact, to exempt competitive bidding for this Purchase Contract as food supplies are exempt from the competitive bidding process, as competitive processes for such purchases do not produce an economic benefit to the County, and as authorized under Resolution 170-2010 adopted November 9, 2010, by the Board exempting food/kitchen supplies used by HHS Aging Programs from competitive bidding

2. Provide the background of events leading to this acquisition.

The County has contracted with this vendor for these products since 2018. This proposed Purchase Contract with Oliver Packaging is a renewal of Purchase Contract 7472 (2/14/23 through 7/31/23) in the amount of \$36,000, which was preceded by Purchase Contract 6488 (4/01/22 - 12/31/22) in the amount of \$99,000.

3. Describe the uniqueness of the acquisition. (Why was the goods/services supplier chosen?)

Oliver Packaging owns the equipment HHS uses to package the food trays, which creates efficiencies in the kitchen and allows for hundreds of meals to be packaged up quickly.

4. What are the consequences of not purchasing the goods/services or contracting with the proposed supplier?

The consequences of not purchasing the Oliver trays would have an immediate impact to the daily operations of the Senior Nutrition program and would delay the daily delivery of hundreds of meals to our vulnerable homebound and frail senior populations.

5. What market research was conducted to substantiate no competition, including the evaluation of other items or service providers? (Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The name and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

Historical records indicate that the El Dorado County Purchasing Department had conducted a competitive bid process prior the 2016 and Oliver Products was the only company to respond with a proposal.

**B. Price Analysis:**

1. How was the price offered determined to be fair and reasonable? (Explain what basis was used for comparison and include cost analysis as applicable.)

Prior to the implementation of the Oliver Equipment contract in 2018, the Senior Nutrition program had used aluminum trays, which had become cost prohibitive. At that time, the County had determined that the Oliver Equipment products were estimated to provide an annual savings of approximately \$26,000 per year.

2. Describe any cost savings or avoidance realized (one-time or ongoing) by acquiring the goods/services from this supplier.

If the County were unable to purchase additional packaging trays from this vendor, it would immediately impact service delivery by the Senior Nutrition program. This would create an urgent need for packaging supplies that would require manual packaging and be labor intensive, for a program that is currently short-staffed.



RESOLUTION NO. 170-2010

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**WHEREAS**, County Ordinance Code Section 3.12.160 provides that competitive bidding for certain County supplies, materials, goods, furnishings, equipment, and other personal property may be dispensed with by resolution of the Board of Supervisors; and

**WHEREAS**, the Board of Supervisors has previously promulgated Resolution #142-2001, which sets forth certain items to be exempted from competitive bidding requirements; and

**WHEREAS**, the Purchasing Agent has provided justification for exempting the purchase of food products and kitchen supplies from competitive bidding as Exhibit "A", attached hereto; and

**WHEREAS**, the Board of Supervisors desires to add food products and kitchen supplies to the list of items previously identified in Resolution #142-2001.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors finds that it is in the public interest and therefore delegates to the Purchasing Agent the authority to purchase food products and kitchen supplies without soliciting bids.

**BE IT FURTHER RESOLVED**, nothing shall preclude the Purchasing Agent from requiring competitive bids for any item to be procured with public funds if deemed beneficial and in the best interest of the County to do so.


**BE IT FURTHER RESOLVED**, the Purchasing Agent may issue Blanket Purchase Orders in amounts up to departmental approved budgets for food products and kitchen supplies without advance approval of the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 9 day of November, 2010 by the following vote of said Board:

Ayes: Knight, Nutting, Sweeney, Briggs  
Noes: none  
Absent: Santiago

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

By:   
Deputy Clerk

  
First Vice Chair, Board of Supervisors  
Raymond J. Nutting

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Clerk

Exhibit "A"

Exemption of Food Products and Kitchen Supplies  
from Competitive Bidding Requirements

Several County departments purchase food products and kitchen supplies in order to fulfill their missions. Such departments include the Sheriff, for the Jails, the Probation Department for the Juvenile Treatment Centers, the Health Services Department for the Psychiatric Health Facility (PHF), and the Human Services Department for its Aging programs. These facilities range in size and the requirements for the population served vary from facility to facility. For example, PHF has a much smaller population than the jail. Food for the PHF must be purchased in much smaller quantities to avoid spoilage and to provide for menu variety. Some of the large vendors are not able to supply quantities small enough to be practical for the PHF. The senior nutrition programs, jails, and juvenile treatment facilities all have different nutritional requirements, and each kitchen staff shops in accordance with these requirements.

Each food vendor provides a varying level of service. Some vendors deliver and put away the food, other vendors make delivery on the dock and kitchen staff puts away the food. Some vendors are able to accept order revisions at the last minute, while others may need to make separate deliveries when orders are placed after a specified cut-off time. Some vendors are able to deliver more frequently than others. In addition, case counts and product selection vary by vendor, and the products offered by a particular vendor can change monthly, which in turn can affect a kitchen's order. Because of the diversity in specific needs, the competitive bid process has not yielded results that meet all affected departments' needs. Furthermore, kitchen staff have indicated that a process requiring them to obtain specific product quotes for each order is time consuming and complicated, and difficult to document and verify.

In order to balance administrative effort and service needs with cost savings, it is recommended that contracts be negotiated individually in order to obtain for the County the best combination of service, product selection and price that meets the needs of each facility.










# Oliver Packaging & Equipment Company Non-Competitive Purchase Request Justification

Final Audit Report


2023-10-13

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