



**JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION**

**REQUEST INFORMATION**

(The information below must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance for advertisement)

**Request Number & Title:** 24SSREQ1325561C-JH      **Fulton County Police Department (FCPD) Back Range**

**Department:** Real Estate and Asset Management

**Request Submitted By:** Khandi Flowers

**Title:** Contract Administrator

**Request Details:** Award without competition may be awarded without competition when the County Manager and the Chief Purchasing Agent determine, in writing, upon recommendation of the User Department and after Purchasing conducts a good faith review of available resources, that there is only one source for the required work, labor, or service to be done on the supplies, materials, or equipment to be furnished. The Award without Competition request should include the following information:

**Supplier/Source Company Name:** Metals Treatment Technologies, LLC

**Supplier/Source Contact Information:** Ty Hendrickson

**Description of Supplies/Services:** To provide firing range lead maintenance services at the Fulton County Multi Agency Range (Customer) firing range located at 5301 Aldredge Road Southwest, Atlanta, GA 30331. All work will be performed in accordance with applicable Federal, State, and local safety and environmental regulations including US Department of Labor regulations as well as achieving compliance with OSHA, US EPA, State, and NRA and NSSF recommended firing range environmental Best Management Practices (BMPs).

**Demonstration of Contractor's Unique Qualifications:**

*Provide an explanation as to why it is necessary to contract in a non-competitive manner.*

1. Provide a detailed description of what will be provided.

Provide firing range lead maintenance services at the Fulton County Multi Agency Range (Customer) firing range located at 5301 Aldredge Road Southwest, Atlanta, GA 30331.

Metals Treatment Technologies, LLC (MT2) is a company that specializes in the lead treatment and removal from firearms ranges nationally. To our knowledge, MT2 is the only company that can provide a solution to the departments need to remove and treat soil contaminated with lead fines. Lead fines are a by product of firearms range activity that cannot be separated from soil in an efficient manner with today's machinery. MT2 has patented and proprietary technology that offers a solution that both complies with US Environmental Protection Agency Best Management Practices for outdoor shooting ranges and provided the department with a cost effective method to remediate the situation at the outdoor range, ECOBOND® metals stabilization reagent.

MT2 is the exclusive provider of ECOBOND® lead and metals stabilization reagent. ECOBOND® is proven to permanently reduce hazards due to leaching of toxic metals in the environment and dramatically reduce disposal costs of metals-contaminated soils and other materials. MT2 has effectively treated over 10,000,000 tons of lead/metals contaminated soils at over 1,300 sites nationwide. At each, lead/metals leachability was dramatically reduced and treated soils were rendered "non-hazardous" per EPA Toxicity Characteristic Leaching Procedure (TCLP) regulatory levels. Additionally, ECOBOND® also meets and exceeds all regulatory requirements for Synthetic Precipitation Leaching Procedure (SPLP) and USEPA Multiple Extraction Procedure (MEP) Method 1320

As a result, MT2 is the only company that can provide this service.

2. Provide a detailed description of proposed service or item(s) along with quantity and price.

Based on the reported range usage, and typical usage at similar ranges, it is reasonable to expect 5-10 tons of lead may be recovered and recycled from the backstop berms and apron areas. MT2 has estimated soil quantities for processing pending final specifications. MT2 will excavate and process soil from the backstop berms until lead reclamation becomes economically infeasible and/or 80-90% of lead bullets and bullet fragments (measured as weight percent) are removed.

Lead management services include:

- **RANGE PROJECT SETUP BY TRAINED & CERTIFIED CREW:** Work crew mobilizes and sets up our specialty equipment, sets up lead dust containment and ventilation; walks range with owner to conduct pre-work planning.
- **WORK PROCESS:** Reclaim lead, restore traps/berms and clean range. ALL work follows written Health and Safety and Work Plans.
- **JOB COMPLETION:** Finish site work, clean up, containerize, weigh & arrange for transportation of lead drums for recycling and LEGALLY dispose of your lead waste. Optional onsite lead waste treatment with ECOBOND® to ensure you NEVER Generate Hazardous Waste. GUARANTEED! Provide range with detailed log on amount of lead reclaimed and waste.
- **FINAL REPORT** (typically 1-2 weeks later): Prepare final report & important records for range to keep, including: waste manifests, lead reclamation certificates, and other important details to support final project completion to protect you & your range if EPA asks for documentation!

- **LEAD PROCEEDS:** Supply lead reclamation proceeds check to owner, or offset range service costs as per previously approved contract, ensuring no surprises!

**PRICING:** MT2 has developed the following pricing for lead maintenance services.

	Baseline Firing Range Lead Maintenance Task	QTY	Unit	Price
1	<b>Upfront Payment:</b> Plans, Mobilization, Site Setup and Preparation	1	Lump Sum	\$4,400
2	<b>Lead Maintenance:</b> Excavation, Lead Recovery, Lead Recycling, Replacement of Screened Soil to Berms, and Berm Reconstruction	Up to 264 CY	Lump Sum	\$28,000
3	<b>Final Payment:</b> General site clean-up, Demobilization, and Final Report	-	-	Included
				\$32,400
<b>Estimated Lead Recycling Value</b>				
4	<b>Estimated Client Net Lead Recycling Value</b>	5-10 tons	\$0.70 Per lbs.	(\$2,375 - \$5,475) <sup>1/</sup>
<b>Optional Services <sup>2/</sup></b>				
5	<b>Optional: ECOBOND® Soil Amendment of Soils Returned to Active Range(s)</b> <ul style="list-style-type: none"> <li>- Utilize MT2's ECOBOND® to reduce the leachability as per USEPA BMP's (up to 1% ECOBOND®)</li> <li>- Pricing Assumes application of up to 1% ECOBOND® at a soil density of up to 1.5 TN/CY</li> </ul>	Up to 264 CY	Lump Sum	\$15,000
6	<b>Optional: Berm improvement:</b> placement of additional 45 CY – customer provided clay/soil mixture or ballistic sand <¼" to backstop berm	Up to 45 CY	Lump Sum	\$ 10,500
7	<b>Optional:</b> Environmental Stewardship Plan	1	Lump Sum	\$7,500

<sup>1/</sup> MT2 owns the recovered lead; MT2 will provide the Client 50% split of the net value of recycled lead. Net value is determined as the recycled value of the material less the same percent of the cost of containers, pallets, handling equipment, transport, and applicable taxes, to be used to offset project costs. MT2 does not guarantee the value or quantity of recovered lead. The actual value of recycled lead will be determined at the time of recycling. The Estimated Lead Recycling Credit is based on a reasonable estimate of the amount of recoverable lead and current lead recycle value per pound

<sup>2/</sup> Pricing for optional tasks is valid if performed at the time of lead maintenance tasks, no field investigations are included with the ESP preparation

3. Provide an explanation of why these services or commodities are needed.

Services needed to support mitigating potential physical, occupational, and environmental hazards associated with high concentrations of lead in the backstop berms at the firing range.

MT2 has patented and proprietary technology that offers a solution that both complies with US Environmental Protection Agency Best Management Practices for outdoor shooting ranges and provided the department with a cost effective method to remediate the situation at the outdoor range.

4. Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.

MT2 maintains a broad portfolio of patented and proprietary chemical metals stabilization processes; known as ECOBOND® that provide virtually permanent stabilization of all heavy metals. The MT2 processes are previously approved by the US EPA and are non-hazardous. The resulting treated soils contain extremely stable metal compounds that virtually eliminate the leaching of metals to the environment. The strength and effectiveness of the stabilization has been verified using the EPA's TCLP test parameters and Multiple Extraction Procedure (MEP) tests

MT2 is uniquely qualified to perform this work:

- MT2 operates a fleet of unique proprietary equipment designed to not only recover lead from firing ranges at the highest quality value, but to also maintain a high level of protection to MT2 personnel, our clients, the public, and the surrounding environment during onsite services.

- MT2 maintains a nationwide recycling program that ensures recycled products are properly recycled at MT2-vetted recyclers.

- MT2's patented and proprietary ECOBOND® technologies are specifically intended to provide successful stabilization of soils to meet USEPA Best Management Practices (BMP's) for Outdoor Firing Ranges. Unlike other products available on the market, MT2's ECOBOND® technologies are backed by MT2's Guarantee of successful stabilization, custom-tailored to each range's specific conditions.

MT2's expertise regarding regulatory compliance for permitting and disposal of various types of waste. MT2 manages various types of firing range-related waste disposal services nationwide, working diligently with regulatory agencies, landfills, and other vested parties to understand the nature of the waste and ensure proper disposal and documentation of that disposal is managed from cradle to grave.

- MT2 maintains a licensed in-house laboratory to provide analysis of our clients sites at a custom-tailored level of expertise unparalleled in the firing range industry.

- MT2 offers a unique "turn-key" approach developed from over 20 years of working hand-in-hand with our clients' needs and key partnerships within the industry to offer a variety of services custom tailored to the many needs of a safely operating range. While other contractors may offer to compete with different aspects of a job, only MT2 can offer a one-stop-shop.

- MT2's personnel are uniquely experienced in managing the scope of work being implemented for this project. Applicable, specific project experience includes: Over 20 years' experience of successful dismantlement/removal of bullet traps/berms from both indoor and outdoor environments.

- o MT2's proven record of performance has demonstrated our expertise implementing environmental firing range services nationwide including over 400 law enforcement ranges such as NYPD Rodman's Neck, Orange County Sheriff's Department (FL), multiple FBI, DOE, and DOD facilities.

*(Section B must be completed by the Department of Purchasing & Contract Compliance)*

## **SECTION B**

### **PUBLIC NOTICE**

*Purchasing Code Section 102-384(f) Exceptions. The following categories are exempt from the notice requirements:*

- (1) A governmental agency is the only provider of the service and/or services;*
- (2) When acquiring utility services; or*
- (3) When acquiring legal services;*

(4) *Authorized or required by statute, a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source;*

(5) *The existence of limited rights in data, patent rights, copyrights, or secret processes; or similar circumstances make the supplies and services available from only one source.*

If one of the above is applicable, public notice is not required.

**Date Public Notice posted on BidNet: August 29, 2024**

**Date Public Notice closed: September 12, 2024**

#### **REVIEW OF OFFER(S)**

**Were any offers received (Y/N):** *N*

**Number of offers received:** *0*

**Respondents:** *None*

**Date Offers submitted to User Department for review:** *N/A*

**User Department review and recommendation:** *Award as Sole Source*

#### **MARKET SURVEY**

**Results of Market Survey:** *Purchase representative must provide an explanation that must include how the determination was made that the item(s) or service(s) is only available from one source (e.g., market survey was conducted, internet research, patented or proprietary system).*

#### **PURCHASING RECOMMENDATIO**

**Purchasing Representative must determine that the request meets one of the following qualifying situations listed below:**

- Independent research through internet searches or discussions with subject matter experts corroborated that the item is available only from one source.**
- The request demonstrated the uniqueness of the item(s) or service(s) to be procured from the proposed contractor or vendor due to compatibility, patented or proprietary system.**
- The request demonstrated and provided support of how the determination was made that the item(s) or service(s) is only available from one source (e.g. market survey results, independent research, patented or proprietary system).**
- Does not meet the requirements**

**Purchasing Recommendation:**

**Award Sole-Source**

**Issue PO / Contract**

**Not Awarded / Competitively Bid**