

COLLEGE OF THE SEQUOIAS COMMUNITY COLLEGE DISTRICT
Board of Trustees Meeting
April 8, 2024

CONSENT CALENDAR

8

**APPROVAL OF SOLE SOURCE VENDOR: KLEIN
EDUCATIONAL SYSTEMS**

Status: Action

Presented by: Ron Perez
Assistant Superintendent/Vice President, Administrative Services

Issue

It is recommended that the Board of Trustees authorize the District to negotiate and enter into a contract with Klein Educational Systems, Inc. on a single source basis for the sole source products and equipment it exclusively distributes in the state of California as described herein, perusal to California Public Contract Code, Section 3400.

Background

Under California Public Contract Code Section 3400 (c)(3), the District may make a finding designating that certain products, things, or services are only available from one source. Career Technical Education has designated funding for three FANUC ER-4iA Fencelss CERT Carts with upgrade to LR Mate 200iD/4S Robot with Strong Workforce 8 funds for the Industrial Automation program.

Sole Source Product Justification: Purchasing from Klein Educational Systems is the only way to ensure the product listed is compatible with the existing FANUC learning content and equipment presently at the Tulare Annex Campus. With continual recommendation from the Industrial Automation Advisory Board to invest in FANUC robots, students will learn a wide breadth of skills including application of programmable logic controllers, programming and operation of industrial robots, and human-machine interfacing. COS has identified FANUC America Corporation robots distributed exclusively by Klein Educations Systems to be the industry leader in educational robotic technology. In order to strengthen the Industrial Automation certificate of achievement, our stand-alone robotics courses, and streamline our transfer-level associate degree, COS recommends investing in three FANUC industrial robots. As the work leader of industrial robotics, FANUC provides a versatile training robot while preparing students for real-world use in a multitude of manufacturing settings. FANUC provides instructor training certification and an industry-recognized CERT training platform for students.

Single Source Vendor Justification: Klein Educational Systems is the exclusive authorized distributor for FANUC robotic manufactured products within the state of California. Attached is the sole source letter from FANUC confirming Klein Educational Systems as their exclusive distributor. Therefore, this agenda item is requesting the Governing Board consideration for approval of Klein Educational Systems as the single source vendor for its respective sole source equipment. The proposed contract amount is \$158,778.90.

Recommended Action

It is recommended that the Board of Trustees finds that Klein Educational Systems is the single source supplier for FANUC America Corporation. The District may proceed to negotiate and enter into a sole source vendor contract for the products and equipment described herein.



FANUC America Corporation.
3900 West Hamlin Road
Rochester Hills, Michigan 48309-3253
www.fanucamerica.com

February 14, 2024

Chelsea Cushing
College of the Sequoias
Visalia, CA 93277

RE: FANUC America Certified Education Robot Training Program and Products

Dear Chelsea,

This letter is to confirm that the FANUC America Corporation (hereinafter FANUC) Certified Education Training programs and products (Including but not limited to: CRX and ER4 Robots, 2D iRVision, Project Base Learning Kits, FANUC Hardware, Software and Curriculum) is offered at heavily discounted educational pricing - an exclusive offer for all educational institutions.

The FANUC CERT program and educational products are being provided by Klein Educational Systems, the exclusive FANUC Education Authorized Reseller for the state of California.

The CERT training platform and instructor certification training provides students and instructors with curriculum and instructional guides. The FANUC CERT program and educational products can only be purchased from *Klein Educational Systems* and are only offered to educational institutions. The sale price offered to educational institutions is significantly discounted from the price that would be offered to a commercial or industrial customer and shows Klein Educational Systems and FANUC's commitment to supporting technical education. FANUC offers U.S. based manufacturing that includes robots, CNC, simulation software and product development. We are pleased to be working in collaboration with Klein Educational Systems on this opportunity for Norco College.

Respectfully,

FANUC America Corporation

Paul Aiello

Director – Certified Education
paul.aiello@fanucamerica.com

Jonathan R. Potter

District Manager – Certified Education
jonathan.potter@fanucamerica.com



KLEIN

Educational Systems

2851 Spafford Street
Davis, CA 95618
1-800-698-3249

QUOTE

Quote# KES11217-3

Quotation for:

COLLEGE OF THE SEQUOIAS

Travis Asher
Visalia, CA 93277

Date Quoted : 02/13/2024

Expiry Date : 03/15/2024

Sales Manager : Chris Klein

Quotation for FANUC ER-4iA Fenceless CERT Carts w/Upgrade to LR Mate 200iD/4S Robot

Item & Description	Qty	Unit Cost	Total Cost
ER-4iA F-CERT Six Axis Mechanical Robot (550mm reach) R-30iB Mate Plus Controller LR Handling Tool Software – Advanced CERT Configuration MH iPendant with Touch Screen - R-30iB Mate Plus Controller eDocumentation FENCELESS - Education Training Cart DCS / AB SafeZone Scanner - Collaborative Open CERT cart 180+ Degree Work Envelope Enhanced Gripper with embedded Laser Pointer Ethernet I/P Scanner Allen Bradley - SafeZone Safety Laser Scanner Allen Bradley – Auditable Safety Stack Light 4.6 Gal. Ultra Quiet Air Compressor Large easy rolling lockable (All Direction) casters 1 Set of Manuals	3	39,000.00	117,000.00
ER-LRM200iD4S Upgrade from ER-4iA (550mm reach) to LR Mate 200iD/4S Robot	3	4,000.00	12,000.00
FVP-2D Robot Mounted iRvision 2D Guidance Hardware & Software Package (1.8.3) LR / ER4 / CR Robots For Stand Alone Units or Fenceless Carts includes iRvision 2D Guidance Hardware & Software, iRvision 2D Manual, ER/LR Mate or CR Robot Multi-EOAT Adaptor Kit *Requires iRvision CERT Instructor Program	3	5,100.00	15,300.00

Item & Description	Qty	Unit Cost	Total Cost
VLK-LRM Fixed or Carried** Vision Light Kit – ER / LR Mate Robot 1.8.5 **If added to a Fenceless CERT Cart, it requires the Fenceless Vision Package FVP-2D	3	680.00	2,040.00
Sub Total			146,340.00
City of Visalia Sales Tax (8.5%)			12,438.90
Delivered Total			\$158,778.90

Klein Educational Systems, Inc.
 Email Purchase Orders to debra@kleineducational.com or fax to **888-503-3108**
 2851 Spafford Street Davis, CA 95618 Toll Free: 800-698-3249
 Prices Valid for 30 Days Terms Net 30 Days Estimated Delivery TBD

GUIDE TO SUBMITTING SOLE SOURCE JUSTIFICATIONS

Definition of Sole Source Procurement: Sole source procurement refers to those purchases where there is only one supplier that can provide the product you wish to procure. Usually these are unique products that cannot be found anywhere, however, only thru one supplier/manufacture (ex., a proprietary designed).

By submitting a Sole Source Justification request, you, as the Requestor, acknowledge that the requested item is the only acceptable material, product, thing or service that can ensure the District's academic, curriculum and/or research meets the standards advocated by an identified academic standard (center or organization) and enables students to learn and participate in the field of said academic study, curriculum and/or research.

What Constitutes a Valid Sole Source Justification? The simple answer is: It must contain the facts that show there is only one source of supply for your purchase requirement. If your requirement is available from more than one source, it is not considered a sole source.

The Requester must furnish the following on the Sole Source Justification Form:

1. State the specific features or performance specifications that are essential or required. (i.e., Exterior / interior size or dimensions are only acceptable as justification if the space available is critical.) Please note: Sole source justifications, written by the vendor / manufacturer, are not acceptable. The Requester must complete the Sole Source Justification form.
2. The Requester must specify the names of vendors who can furnish similar products and which of these vendors were contacted, along with a description of the essential requirement(s) that other vendors cannot furnish.
3. If your requirements involve purchasing a commodity that must be compatible with existing equipment and is available from only one source of supply, the Requester must specifically explain this in the Sole Source Justification form and furnish the previous purchase order number(s) for the existing equipment.
4. A written quote must be furnished, which indicates what discount(s) the District is receiving. A quote indicating a discount does not negate the Buyer from performing a price analysis. If the discount amount or percentage is not given on the quote, the Buyer may need to contact the vendor for that information in order to complete a price analysis. (e.g., All purchases over \$3,000 or greater require three quotes – See Purchasing Guidelines). These requirements must be satisfied prior to a purchase order being issued.

Please remember that what the Requester would like to have does not constitute adequate justification for a sole source. A Requester's preference for one vendor/product following market studies, quotations, demonstrations / testing, does not constitute a sole source.

Next Steps:

- Buyer will conduct a thorough market analysis/research to ensure no other vendor/product is available.
- Buyer will submit a Request for Quotes via Public Purchase
- If no responses, and research from Buyer presents the request to be a true Sole Source, Buyer will work with Requester to submit a Board Resolution and Communication to ensure proper protocol is legally met and approved by the District's Board.

Note: The timeline for a Sole Source could take up to 90 – 120 days.

Bidding and Proposals

Purchase requests that meet or exceed the bid threshold (see Purchasing Guidelines) will require Purchasing to request bids from other vendors. If any of those other vendors reply with a bid that meets the essential requirements supplied by the Requester, Purchasing must then proceed with an Advertised Competitive Bid Process. See the following CA State requirements:

- PCC § 3400 states that a community college district cannot limit “the bidding, directly or indirectly, to any one specific concern,” when letting “contracts for the construction, alteration, or repair of public works”;
- Public Contract Code section 20651 states that a community college district is required to competitively bid any purchase of equipment with a contract value over \$96,700 or any procurement of public works with a contract value over \$15,000; and
- California law provides that, “Where competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply” (*Hiller v. City of Los Angeles* (1961) 197 Cal.App.2d 685, 694), and that public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (*Los Angeles Dredging Company v. City of Long Beach* (1930) 2 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 63.

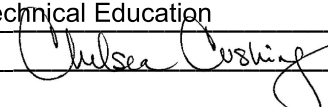

We understand how complex a Sole Source Justification request can be. We strongly suggest that you please contact your division's assigned Buyer or purchasing@cos.edu if you have further questions concerning sole sourcing.

Sole Source Justification Form

In accordance with the following CA State requirements:

- PCC § 3400 states that a community college district cannot limit “the bidding, directly or indirectly, to any one specific concern,” when letting “contracts for the construction, alteration, or repair of public works”;
- Public Contract Code section 20651 states that a community college district is required to competitively bid any purchase of equipment with a contract value over \$86,000 or any procurement of public works with a contract value over \$15,000; and
- California law provides that, “Where competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply” (*Hiller v. City of Los Angeles* (1961) 197 Cal.App.2d 685, 694), and that public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (*Los Angeles Dredging Company v. City of Long Beach* (1930) 2 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 63).

If Requester deems its request to be a true Sole Source, Requester must provide a minimum of one (1) competitive quote that indicates discount(s) District is receiving along with completed Sole Source Justification form to Purchasing for review and approval. Competitive quotes are the best way to show that the price is “fair and reasonable”. If competitive quotes were not secured, then there should be an explanation of the method used to determine the reasonableness of the price and technical reasons for selecting the suggested supplier. Completion of this form does not guarantee an automatic approval of the “Sole Source” justification. Purchasing will make the determination if it is a justifiable sole source purchase. Please complete the following (additional pages may be attached for further documentation):

Purchase Requisition # R0024196 Date: 2/29/2024
 Requester's Name: Chelsea Cushing Phone: (559) 688-3044
 Department: Career Technical Education E-mail: chelseac@cos.edu
 Requester's Signature  Dean's Signature  John Schengul (Feb 28, 2024 17:10 PST)

NOTE: Sole Source Justification form must be submitted to the Purchasing Department for review and final approval. (See Guide to Submitting Sole Source Justification for details on process and timeline).

I am requesting this purchase as a sole source because (check if applies):

- ☒ Vendor is sole provider of licensed or patented goods or services
☐ Match existing/compatible with my existing equipment:
 COS ASSET # _____ Serial # _____
 ☐ As a replacement or repair part ☐ to match existing equipment (standards)
 ☐ As an accessory or option
 ☐ As a component to be interfaced with the existing equipment

☐ Vendor is a sole provider of factory-authorized warranty service

☐ Maintenance is from the original equipment manufacturer

The purchase will be used for: ☒ Classroom/teaching ☐ Maintenance/repair

☐ Other (specify) _____

Name of Academic, Currulum and/or Research: Industrial Automation program, instructor Travis Asher

The purchase will meet the standards advocated by the following (provide the name(s) of center/organization): Local advanced manufacturing employers, IA Advisory Board Members

What are the unique performance factors of the product specified (list each factor individually with an explanation of its purpose?)

FANUC is the dominate presence within our local advanced manufacturing workforce.

Klein Educational Systems is the only available educational training cell for FANUC brand industrial robots in this region.

The FANUC educational robot allows the instructor to demonstrate real-world robots found in manufacturing.

Why are these specific factors required?

Operations and programming within manufacturing is highly specific to the FANUC brand.

Maintenance operations and system specifications are unique to FANUC robots.

Names of other Vendors who can furnish similar products:

Vendor Name	Essential Requirement(s) Vendor Unable to Provide
n/a	n/a

What other products have been examined and rejected and why?

The industrial automation instructor, Travis Asher, has conducted many site visits to local manufactures, as well as sought council with his advisory board regarding equipment requirements for the program.

FANUC is the dominate brand within the industry, with very little use of equipment outside this brand.

Knowledge in FANUC robots meets job skill requirements for our workforce in the industry.

Why is the acquisition restricted to this good/service/supplier?

Klein Educational Services is the exclusive FANUC Education Authorized Reseller for the state of California.

Provide the background of events leading to this acquisition.

The industrial automation advisory board has stressed the growing job skill requirement for robotic knowledge in manufacturing operations. Having in-house technicians trained in FANUC industrial robots is the most cost effective for the manufacturing industry. The advisory board has continually recommended investment in FANUC industrial training robots.

Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

The CERT training platform and instructor certification training provides students and instructors with curriculum and instructional guides. The FANUC CERT program and educational products are exclusively offered to educational institutions and are only allowed to be purchased through Klein Educational Systems.

What other Community College Districts have utilized this vendor as a Sole Source Purchase?

State Center Community College District - Fresno City College and Clovis Community College

Kern Community College District - Bakersfield College

What are the consequence of not purchasing the good/service or contracting with the proposed supplier?

Significantly limiting curriculum and lab skills needed to prepare our industrial automation students for the workforce. The industrial automation advisory board has strongly advised the faculty member to invest in the equipment to keep current with workforce needs. As Klein being the sole source provider, College of the Sequoias would not be able to purchase the equipment through another vendor.

What market research was conducted to substantiate no competition, including evaluation of other items considered? (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 names, phone numbers 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. Be sure to specify the reasons for not meeting specifications.)

The instructor, Travis Asher, has physically visited manufacturing companies within our region to research equipment. Administration within CTE Administration within CTE has toured most of the industrial automation labs within the region to research and compare equipment for the program. The FANUC brand is heavily utilized by industry and demand for training in robotics continues to rise. The industrial automation advisory board regularly suggests investment in FANUC robots. Equipment research has proven a significantly lower demand on use of other robotic brands.

Please describe and provide estimates and methodology for total ownership costs that will be required each year beyond this initial acquisition.

Estimation for annual cost of software, simulation licensing, and e-learning platform is around \$5,000. FANUC robots require minimal maintenance and repair.

Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

Klein Educational Systems provides the FANUC America Certified Education Robot Training Program and Products at heavily discounted educational pricing, exclusive to educational institutions.

What are the consequences of not having this sole source approved and going out for full and open competition? (Describe in detail the impact to the department and to the programs)

The purchase of another brand of robot will not likely be compatible with current industry equipment standards, thus our students would not be fully ready for the workforce and the future of advanced manufacturing in our region. The purchase of another brand of robot also runs the risk of not having a training and simulation platform, nor an instructor certification training.

Purchasing Department Use Only

Buyer's Sole Source verification research/results:

☒ Confirmed (specify or attach backup documents) ☐ Denied (specify reason for denial)

☐ Request for Quotes submitted date (Public Purchase): _____

Responses? Y ☐ No ☐

List responses: _____

☒ Verified other Community College Districts that have utilized vendor as sole source

☐ If responses ID'd as in-adequate, submit draft of Sole Source Justification Board Resolution and Communication to Requester for Board approval on: _____ (Month)

Buyer's name: _____ Date: _____

Purchasing Manager: Ashley Galis Date: 2/29/2024

ATTACHMENT 1- GENERAL SPECIFICATIONS

List the general specifications for your Sole Source Justification request.

NOTE: Do not provide specifications from a specific vendor as this can disadvantage & limit the number of vendors who could provide a bid. It is imperative that the District demonstrates a fair and impartial competitive acquisition process.

Klein Educational Systems provides the FANUC America Certified Education Robot Training Program which provides simulation and training on material handling applications within the advanced manufacturing industry. The FANUC robot completes repetitive motion and cycles within manufacturing. The robot operates continuously and requires minimal maintenance.

Prevalence of robotic operations have grown over the last 30 years. With recent supply chain issues from the pandemic, many manufacturing operations have increased investment in robots within manufacturing. Robotic use in manufacturing increases efficiency of production, minimizes operator error, and decreases workforce injuries.

As industry continues to shift toward robotic operations, the industrial automation program needs to invest in the robotic technology that mimics real-world utilization in our local manufacturing settings.






Sole Source Justification - FANUC Robots for Industrial Automation

Final Audit Report

2024-02-29

Created:	2024-02-29
By:	Chelsea Cushing (chelseac@cos.edu)
Status:	Signed
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