

**AWARD OF BID**  
(LESS THAN THREE (3) BIDS)

Administrative Services – Materiel Division  
State Purchasing Bureau  
1526 K Street, Suite 130  
Lincoln, NE 68508

Date: 11-6-23

Requisition No.: 117062 OR

Quote No.: 6822 OF

Award Circumstances (choose one)

- Competitively Bid
- Sole or Specialized Source
- Emergency
- Competitively Bid - Restrictive
- Other Unique Requirement

**JUSTIFICATION AND COMMENTS**

NDOT is seeking the determination and approval from the Materiel Division/State Purchasing Bureau (SPB) that bids may be accepted from fewer than three (3) bidders to purchase Type 1 Coarse Dual Coated Pavement Marking Glass Beads from Potters Industries at a total cost of six million nine hundred forty-four thousand eight hundred fifty dollars (\$6,944,850.00). The proposed contract is for a One (1) year period with the option to renew for Four (4) additional One (1) year period(s)

Invitations to Bid (ITB) were sent to Five (5) vendors and posted to the SPB website. The Materiel Division/SPB received Two (2) bids and Zero (0) "No Bids".

The requesting Agency is solely responsible for the determination of facts supporting this request and acknowledges that the Materiel Division/SPB will rely on the requesting Agency's accurate and complete reporting of those facts when making a decision to approve or not to approve this request.

Justification from NDOT:

"We are accepting the Potters bid because they are the low bid, they passed testing, Swarco was not able to meet delivery requirements and there are only two manufacturers of these glass beads. Changing the specifications will not increase bids since there are only two that are able to bid."

In accordance with Neb. Rev. Stat. § 81-154, the materiel division has determined that because of the special nature of the personal property sought to be purchased or leased or any other reason, the specifications shall remain as written and bids may be accepted from fewer than three bidders.

DS  
RT

11/6/2023

DocuSigned by:  
*Brenda Sensiblaugh* 11/7/2023  
\_\_\_\_\_  
Procurement Contracts Officer (PCO) Date

DocuSigned by:  
*Amara Block* 11/8/2023  
\_\_\_\_\_  
Materiel Division Administrator Date

\_\_\_\_\_  
Director Administrative Services Date

