



7/22/2016

Attn: Michael Johnson  
HDR  
6300 S. Old Village Place, Suite 100  
Sioux Falls, SD 57108

RE: City of Sioux Falls Brandon Road Pump Station Project wall pipe

Dear Mr. Johnson,

Merryman Excavation's contract with the City of Sioux Falls South Dakota includes construction of modifications/additions to the Headworks Facility in Sioux Falls, South Dakota. As part of this work, wall piping is required at the penetrations through the concrete foundation walls to bring the exterior piping into the building. Our efforts to obtain a product of acceptable quality that meets AIS requirements have shown that the product is not domestically available. Given this Merryman Excavation is requesting an AIS waiver for these wall pipes.

The decision to request this waiver was made only after extensive exploration by our national distributor, HD Supply, to the major suppliers of this type of material. HD Supply has been a distributor of pipe and fittings for the underground utilities sector for many years. They distribute for all of the major manufacturers of ductile iron pipe and fittings and have created a national database of sources for material. They utilized this database and the procurement processes they have developed over the years to find a supplier of the material that was specified for this project from a domestic source. In the case of the wall sleeves, they were not successful. We have attached a letter from HD Supply that outlines the process they implemented along with the suppliers they contacted in an attempt to procure domestic wall pipes.

Although similar domestic products were found to be available, these products do not meet the engineering requirements of this project. We have attached a letter from US pipe that discusses the



issues with the similar domestic products. US Pipe will be the supplier of the foreign products through our distributor HD Supply. Their contact information is as follows:

United States Pipe and Foundry Company, LLC  
2023 Saint Louis Avenue  
Bessemer, AL 3520

HD Supply Waterworks  
2101 E. 54<sup>th</sup> Street N  
Sioux Falls, SD 57104

Merryman Excavation has been working with HD Supply since March 15, 2016 to locate the specified domestic wall pipe. Due to our exhaustive efforts, we are submitting this letter later than we should have, and based on schedule of installation, we have purchased the foreign product that meets the specifications at our own risk. We gave approval via purchase order on 7/11/16 to our supplier HD Supply to order these parts and they were delivered on 7/12/16. We understand that this is by far not an ideal situation, but appreciate your consideration for an AIS Waiver.

Sincerely,

Tyler Miller  
Project Manager  
Merryman Excavation  
1501 Lamb Road  
Woodstock, IL 60098



2101 East 54th St. North  
PO Box 85439, Sioux Falls, SD 57118-5439  
Ph: 605/339.2814 Fax: 605/339.2632  
Toll Free: 800/843.3799

2808 East Highway 44  
Rapid City, SD 57703  
Ph: 605/716.9427 Fax: 605/716.9447

August, 17, 2016

Merryman Excavation, Inc.  
1501 Lamb Rd  
Woodstock, IL 60097

Attn; Tyler Miller

RE: City of Sioux Falls Brandon Road Pump Station Project – Request for Waiver of AIS requirement related to components of the Headwall Wall Sleeves

Dear Mr. Miller,

As we have spoken over the past several weeks, we have attempted to procure the Adapt-A-Bell components of the wall sleeves that are part of the headwall construction work on the Brandon Road Force Main Project.

Since receipt of your purchase order on March 15, 2016, we have exhaustively searched for domestic wall sleeves from our suppliers and have not found a product that meets the engineering requirement and is also compliant with the American Iron & Steel Act. We have contacted by phone Tyler Pipe Company, Sigma Company, and have been working with our fabricated pipe supplier US Pipe Fabrication. As is stated in the attached certifications /letters of request for waiver, the suppliers have advised us the 30"-48" Adapt-A-Bell is not produced domestically and that the 4"-24" domestically produced products do not meet the dimensional requirements to ensure a quality produced product that will perform as required.

For these reasons we cannot supply a domestic product for the Adapt-A-Bell components of the wall sleeves per your request. Attached are the requests to exempt the 30"-48" because of the products not being produced domestically & the request to exempt the 4"-24" both on the basis of not having domestically produced components of minimum dimensional requirements.