

From: [Simpson, Jerrod](#)
To: [Mack, Michelle](#)
Cc: [Vogel, Lori](#); [Public Utilities Accounting](#); [Gardner, Richard](#); [Flanigan, Michael](#)
Subject: RE: Hach Company Contract
Date: Wednesday, July 9, 2025 11:14:18 AM
Attachments: [image001.png](#)

I'm ok with this assuming that procurement approves. Thanks, Jerrod

Jerrod D. Simpson, B.C.S.
Senior Assistant City Attorney
Board Certified Specialist in Real Estate Law
600 Cleveland St,
Clearwater, FL 33755
(727) 444-7148

Please note that all correspondence with me is subject to Public Records Laws found in Florida Statutes Chapter 119.

From: Mack, Michelle <Michelle.Mack@MyClearwater.com>
Sent: Wednesday, July 9, 2025 10:58 AM
To: Simpson, Jerrod <Jerrod.Simpson@MyClearwater.com>
Cc: Vogel, Lori <Lori.Vogel@myClearwater.com>; Public Utilities Accounting <PUAccounting@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>
Subject: FW: Hach Company Contract
Importance: High

Hi Jerrod

I hope you're well and enjoyed the long weekend!

We have finally heard back from Hach's legal team on our T&Cs, which we sent to them for review and comment in an effort to agree on terms for a sole source contract.

Would you kindly review the attached and let me know if their comments are acceptable? We are out of contract with Hach, and we purchase from them frequently across the department, so we are hoping to get a new contract in place as soon as possible.

Thank you so much!

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

Please consider the environment before printing this email.

From: Whiting, Donald P <dwhiting@hach.com>

Sent: Wednesday, July 9, 2025 10:49 AM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

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Hey Michelle,

Hope your day is going well! Attached is what they came back with. This is an addendum we will agree to. If you agree and sign it we can use this.

Here's an excerpt showing the agreement intent:

is intended to provide reasonable revisions to Customer's Base Contract to enable the parties to enter a contract for the purchase of Goods and /or Services related to the Project without prolonged or complex negotiations over terms and conditions.

Will this work?

Best,

Don

DON WHITING | Regional Sales Manager

P 970.663.1377 ext 2016 | M 970.308.2857

[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

-

Check out the **NEW Hach Online Master Catalog** [Click Here](#)

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Helpful Numbers

Tech Support: (866) 450-4248 or techhelp@hach.com

Orders: (800) 227-4224 or orders@hach.com

Post Order Support: (800) 227-4224 or support@hach.com

On-site Service Support: (800) 227-4224 x6066 or dispatch@hach.com

Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Monday, July 7, 2025 1:59 PM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

Hi Don

I hope you had a great long weekend!

Just checking on the status of the T&Cs...any updates?

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

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From: Whiting, Donald P <dwhiting@hach.com>

Sent: Thursday, June 26, 2025 10:51 AM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel

<Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

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Hey Michelle,

Ok. I will send this over and ask for a quick turn around. I hope I get my way!

Best,

Don

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Wednesday, June 25, 2025 6:59 AM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

Hi Don

Our legal department has requested your legal team review the City of Clearwater's purchase order terms here: <https://procurement.opengov.com/login>.

We look forward to receiving your comments!

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

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From: Whiting, Donald P <dwhiting@hach.com>

Sent: Tuesday, June 24, 2025 3:09 PM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

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Ok perfect!

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
dwhiting@hach.com

-

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Water Analysis Handbook Link: [Click Here](#)

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Tuesday, June 24, 2025 6:48 AM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

Hi Don

Thanks for the letter. I have run it up the chain and will let you if there's an issue.

In the meantime, our legal department has requested that Hach review the City of Clearwater's T&Cs instead and respond with comments that our legal department will consider. I will forward them to you when I receive confirmation of the T&Cs they would like Hach to consider.

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

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From: Whiting, Donald P <dwhiting@hach.com>

Sent: Monday, June 23, 2025 3:27 PM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

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Hey Michelle,

Will this work for the sole source piece?

Happy Monday!

Don

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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Bench Service Support: (800) 227-4224 x6180 or services@hach.com

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Tuesday, June 17, 2025 12:58 PM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>; Gardner, Richard <Richard.Gardner@MyClearwater.com>

Subject: RE: Hach Company Contract

Hi Don

Our Procurement Department has recommended that we pursue the sole source/impractical to bid path for our contract with Hach. Would you mind sending an updated sole source letter

referencing “all Hach products” and an explanation as to why Hach is the only source for Hach products (e.g. product service, warranty, current products in use, etc.)? Also, please identify any authorized Hach dealers or vendors in our area (if any exists) as we could utilize the Hach contract with them as well.

Our current sole source letter includes some vague exceptions, and I believe we would like to make a stronger representation for Hach being a true sole source provider.

We would still like to incorporate the special pricing Hach extended to Pinellas County.

I hope all of this makes sense. Please let me know if you have any questions. Thank you.

Kind regards,

Michelle Mack
Contracts & Procurement Specialist
Clearwater Public Utilities

OOO: June 19 & 20, 2025

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From: Whiting, Donald P <dwhiting@hach.com>
Sent: Tuesday, June 17, 2025 10:44 AM
To: Mack, Michelle <Michelle.Mack@MyClearwater.com>
Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>
Subject: RE: Hach Company Contract

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Hey Michelle,

Yes, I believe I can get the same agreement approved for you all. I worked with Patty Cortez to get this together. It took us months but it's a really good agreement.

Here are the major components:

1. 3 yr with 2 one year renewals
2. Agreed to T's and C's – this required some back and forth between Pinellas County (PC) and Hach legal teams.
3. Hach satisfied PC's insurance requirement
4. Scope of work descriptions for maintenance were included describing services performed. PC has a comprehensive service plan with Hach, especially on the drinking water side.
5. Maintenance Pricing – pricing for the service plan is fixed for 3 years and prices are set to make changes easy. Service for equipment can be added and subtracted on a prorated basis as needed.
6. Fixed catalog pricing. Prices were fixed with no discount at current pricing at the time protecting PC from price increases. We provided a catalog of part numbers and prices as an exhibit for easy reference to the agreement pricing.
7. Freight is prepay and add

If all this sounds workable I'll ask Patty if we can share the agreement we have. It should be no problem.

I'm happy to answer any questions you might have.

Best,

Don

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

From: Mack, Michelle <Michelle.Mack@MyClearwater.com>
Sent: Tuesday, June 17, 2025 8:52 AM
To: Whiting, Donald P <dwhiting@hach.com>
Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>
Subject: RE: Hach Company Contract

Hi Don

Thank you for providing the City of Clearwater's spend for the last two years on Hach products. We understand that Pinellas County has a sole source contract with you (which we are unable to piggyback on) that includes special pricing.

In considering a path forward for our future contract with Hach, are we able to enjoy the same special pricing as Pinellas County? Would you be able to provide the contract Hach has with Pinellas County so that we can present it to our purchasing department to see if it is something they will consider? We intend to present the contract as "impractical to bid" rather than sole source since we know we can source Hach products from Amazon (for example) thereby negating Hach as a bonafide sole source of all Hach products.

I appreciate your quick response on the above queries as we are trying to get this item on the agenda for the upcoming council session, which is imminent.

Please let me know if you have any questions or require additional information. Thank you.

Kind regards,

Michelle Mack
Contracts & Procurement Specialist
Clearwater Public Utilities

OOO: June 19 & 20, 2025

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From: Whiting, Donald P <dwhiting@hach.com>
Sent: Monday, June 16, 2025 2:06 PM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>

Subject: RE: Hach Company Contract

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Hey Michelle,

Here is a list of products you all purchased in the last two years – 2023 and 2024.

You all spend about \$200k with us per year and spent \$292 last year.

I'd suggest writing the agreement to include all Hach products. It can be a sole source agreement because technically you can only get all Hach products and services from Hach.

Is this what you are looking for?

Best,

Don

DON WHITING | Regional Sales Manager

P 970.663.1377 ext 2016 | M 970.308.2857

[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

-

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Helpful Numbers

Tech Support: (866) 450-4248 or techhelp@hach.com

Orders: (800) 227-4224 or orders@hach.com

Post Order Support: (800) 227-4224 or support@hach.com

On-site Service Support: (800) 227-4224 x6066 or dispatch@hach.com

Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

Confidential - Company Proprietary

From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Monday, June 16, 2025 10:39 AM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>; Selby, Kathleen <Kathleen.Selby@MyClearwater.com>

Subject: RE: Hach Company Contract

Thank you, Don! We look forward to receiving the list.

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

OOO: June 19 & 20, 2025

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From: Whiting, Donald P <dwhiting@hach.com>

Sent: Monday, June 16, 2025 10:28 AM

To: Selby, Kathleen <Kathleen.Selby@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>

Subject: RE: Hach Company Contract

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Hey Kathlene,

Happy Monday! Hope all is well! I'm just getting back from vacation and am now able to pull the list. I'll be in touch with that soon.

Best,

Don

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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On-site Service Support: (800) 227-4224 x6066 or dispatch@hach.com

Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

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From: Selby, Kathleen <Kathleen.Selby@MyClearwater.com>

Sent: Wednesday, June 11, 2025 1:51 PM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>; Flanigan, Michael <michael.flanigan@MyClearwater.com>

Subject: RE: Hach Company Contract

Good Afternoon Don,

We appreciate all your assistance on this. Is it possible to supply us with a list of items that we have purchased over the last year or two? This may help in determining our path forward as we seek City Council approval for a new internal contract.

Thanks!

Kathleen Selby

Accountant

City of Clearwater Public Utilities

(727) 444-8749

Schedule: Tuesday-Friday 5:30am-3:30pm

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From: Whiting, Donald P <dwhiting@hach.com>

Sent: Thursday, June 5, 2025 3:44 PM

To: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel

<Daniel.Trueblood@MyClearwater.com>

Subject: RE: Hach Company Contract

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Will this work?

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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Bench Service Support: (800) 227-4224 x6180 or services@hach.com

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>

Sent: Thursday, June 5, 2025 7:25 AM

To: Whiting, Donald P <dwhiting@hach.com>

Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>; Trueblood, Daniel <Daniel.Trueblood@MyClearwater.com>

Subject: RE: Hach Company Contract

Hi Don

Thank you for your email, and apologies for my delayed reply. I have attached a sole source letter from 2022. Would you be able to provide an updated copy?

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

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From: Whiting, Donald P <dwhiting@hach.com>
Sent: Wednesday, May 28, 2025 9:39 AM
To: Mack, Michelle <Michelle.Mack@MyClearwater.com>
Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>
Subject: RE: Hach Company Contract

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Hey Michelle,

There is not a piggy back-able agreement that I know of. We had one with Lee County a few years ago. Since it expired, most utilities are doing sole source agreements.

Is there any other way I can help? Can you please send over the agreement.....I think I have a copy butalso, if you to create a new agreement would it use the same language?

Here to help,

Don

DON WHITING | Regional Sales Manager
P 970.663.1377 ext 2016 | M 970.308.2857
[\[dwhiting@hach.com\]](mailto:dwhiting@hach.com)

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Bench Service Support: (800) 227-4224 x6180 or services@hach.com

Water Analysis Handbook Link: [Click Here](#)

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From: Mack, Michelle <Michelle.Mack@MyClearwater.com>
Sent: Wednesday, May 28, 2025 8:58 AM
To: Whiting, Donald P <dwhiting@hach.com>
Cc: Public Utilities Accounting <PUAccounting@MyClearwater.com>
Subject: Hach Company Contract

Hi Don

I hope my email finds you well. The City of Clearwater's procurement contract with Hach expires on 6/13/2025. Are you aware of another contract that we may be able to piggyback off of?

Any insight you can provide is much appreciated!

Kind regards,

Michelle Mack

Contracts & Procurement Specialist

Clearwater Public Utilities

M: 727.294.1387

O: 727.444.7879

E: michelle.mack@myclearwater.com



CLEARWATER

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