



## City of Richmond Sole Source Justification

**THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO ANY PURCHASE**

**Contact the Purchasing Division and discuss your rationale before completing this form. If Purchasing can help you make this a competitive purchase, then this form will not be required.**

Attach this completed/approved form to requisitions when competitive quotes/bids/proposals are not solicited.  
(Required for requisitions > \$3,000)

**Requested Sole Source Supplier:**

**Company Name:** American Rivers **Contact Name:** Sarah Puckett

**Address:** 1101 14th Street NW, Suite 1400

**City:** Washington **State:** DC **Zip Code:** 20005

**Phone Number** (415) 203-5766 **E-Mail** spuckett@americanrivers.org

**Duration of Contract:** 2 years

**Estimated Cost:** \$ 300,500 **Funding Source (Account String)** 40623431-400201-22A02

**Is the product/service IT related?** Yes ☐ No ☒ **If Yes, please attach the approved IT Authorization Form**

**For Product: Is the recommended company the manufacturer of the product?** Yes ☐ No ☒

**For Product: Does the manufacturer sell the item(s) through distributors?** Yes ☐ No ☒

**Description of Product or Service:**

*Describe the full scope of work or service contemplated including installation if required; items should include brand, model and part number if applicable; (if additional space is needed, include them in a separate page)*

American Rivers (AR) will assist with project management of the Flood Risk Reduction in the Rheem Creek Watershed. AR will execute agreements with the other two project partners, The Watershed Project and Restoration Design Group, and be responsible for day to day oversight of the pre-construction portion of the project. AR will also lead the development of the Operations, Maintenance & Monitoring Plan that will help the City plan for the required 25 years of maintenance of the project improvements.

**Sole Source Rationale:** PLEASE ANSWER ALL THE FOLLOWING QUESTIONS: Explain why the recommended company is the only company that can meet the requirement. Address the following: Are there any other companies who can do this job? What condition (e.g. technological superiority, or performance risks, etc.) exists so that the recommended company has a significant advantage over any other company who can do this job? It is important to sufficiently address the key reason for awarding an order/contract without soliciting competitive bids. The rationale must be clear and convincing, avoiding generalities and unsupported conclusions.

American Rivers (AR) helped initiate this implementation project by previously obtaining a planning and design grant from the CA State Coastal Conservancy in 2019. City staff collaborated with AR and the other two project partners to engage the community, conduct surveys and hydraulic analysis, create a restoration opportunities report, prepare preliminary designs, and submit permits to regulatory agencies. That work prepared the City to successfully apply for CA Natural Resources Agency funding. AR helped write the grant and their role is described therein.

AR has extensive experience designing and implementing multiple benefit projects that restore waterways, enhance habitat, reduce flood risk, improve ecological function, and engage local communities in long-term stewardship. The Three Creeks Parkway Project in East Contra Costa County is a similar project that will restore a mid-century flood control channel for ecological and flood protection benefits. For the past two decades, AR has built strong local partnerships and to-date the project has provided Chinook salmon volitional passage, restored 3 acres along a creek that was formerly a treeless ditch, launched restoration of 1,100 acres of freshwater tidal marsh at the creek's mouth, and assisted a local community group with multiple volunteer cleanup days and educational programs for underserved youth.

*(if additional space is needed, include them in a separate page)*

*SP*

## Complete the following checklist

A specific contractor is the only source of the required item because (check all that apply):

- ☐ The required items are **proprietary to the Contractor**, and contractor solely transacts (sells) direct to the customer. (There are no dealers or distributors for contractor).
- ☐ The required items are **proprietary to the Contractor**, and **contractor does not sell direct to the customer**. Contractor solely distributes the item or service through only one dealer or distributor in the United States. (There are no dealers or distributors for contractor).

**Note:** If item or service is available from more than one source, the item or service may be treated as proprietary, but must be competitively solicited from multiple (two or more) sources.

- ☐ A specific item is needed:
  - ☐ To be compatible or interchangeable with existing hardware
  - ☐ As spare or replacement hardware ☐ For the repair or modification of existing hardware
- ☐ Federal or state grant names vendor as condition of funding. (Attach copy of grant that names vendor)
- ☐ There is a **substantial risk** in contracting with any other contractor, (e.g., only one contractor has been successful to date in implementing a difficult manufacturing process or the **services sought**). *In a brief explanation, provide supporting evidence of why other contractors are considered to be unable to overcome the substantial risk.*

- ☒ **Continuation of prior Work** – Additional item, service or work required, but not known to have been needed when the original order was placed with vendor, and it is not feasible or practicable to contract separately for the additional need. *Provide brief explanation and supporting evidence.*

This implementation project is a subsequent phase of the planning & design project that American Rivers managed from 2019-2022.

*(if additional space is needed, include them in a separate page)*

I acknowledge the City's requirements for soliciting competitive quotes/bids for purchases over \$3,000.00 and the criteria for justification for Sole Source purchases. I have gathered the required information, have made a concerted effort to review comparable/equal equipment/services (e.g., market research), and further affirm that there is no conflict of interest involved in the selection made.

Department: Public Works

Requester Name and Title: Patrick Phelan, Infrastructure Administrator

**Note: Requester must be able to defend this justification.**

Date: 6/7/22

Phone: 510-307-8111

Department Director (Print) Joe Leach

(Sign)

Date:

**Joseph M Leach**

Digitally signed by Joseph M Leach  
DN: cn=Joseph M Leach, o=City of Richmond, ou=Public  
Works, email=joe\_leach@ci.richmond.ca.us, c=US  
Date: 2022.06.13 15:02:30 -07'00'

**Submit completed form to the Purchasing Division (Prior to submission to City Manager)**

**Finance Director:**

APPROVED: BCueclar

DATE: 6/21/22

NOT APPROVED: \_\_\_\_\_

COMMENTS:

\_\_\_\_\_  
City Manager  
(Under \$10,000.00)

\_\_\_\_\_  
City Clerk Attesting to Council Approval  
(Over \$10,000.00) (Copy of Minutes may be substituted)

**Note: Richmond Municipal Code Section 2.52.326 Sole Source Procurement requires final approval by the City Manager and/or City Council. Sole Source must be approved by Finance Director, PRIOR to Council Approval.**

**PROCEDURE**

Sole Source purchase/service are exceptions to the normal bidding process and require a detailed justification. In processing Sole Source requests for supplies, services and/or equipment, the Purchasing Division adheres to and is governed by the principles set forth in City of Richmond Municipal Code Section 2.52.326 Sole Source Procurement.

If you are requesting a particular vendor, brand or product, you must make this fact clear on your Sole Source form. Your request will then be restrictive and non-competitive, and will fall into a sole source category. If the sole source justification is approved, the requisition can be expedited without the normal bidding requirements.

Such a request should not be made unless you are confident that your request is reasonable and appropriately justified to meet the City's requirements and withstand any possible audit. The City's requirements and the format for submitting such requests are contained herein. Sole Source form must be signed by authorized department representative(s). The certification will remain on file for audit purposes.

The following factors **DO NOT** apply to sole source requests and should not be included in your sole source justification. They will not be considered and only tend to confuse the evaluation process.

1. Personal preference for product or vendor.
2. Cost, vendor performance, and local service (these are generally considered award factors in competitive bidding).
3. Features which exceed the minimum department requirements.