



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 Ramp Company Contact Name: Josh Willis

Address: 601 McKinley St

City: Joplin State: MO Zip Code: 64801

Phone Number (417) 206-6816 E-Mail JoshW@americanrampcompany.com

Duration of Contract: 2 years (April 2022 to April 2024)

Estimated Cost: \$ 575,425.00 Funding Source (Account String) Dirt World Prop 68

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)

Provide design-build construction services to implement the community-supported scope of work described in the Prop 68 Round 4 application for renovation of Dirt World Bike Park, a BMX bike park on the Richmond Greenway in Richmond, CA. Scope of Work includes but is not limited to: design development, permitting and approval, site preparation, tree protection, temporary site protection fencing, import fill soil, grading and drainage, installation of recreational ramps, fine grading for BMX bike terrain features, asphalt paving, and other park 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.

Action Sports Construction (ASC) is the original design-build contractor for the bike park. ASC is the only contractor on the west coast qualified to sculpt the terrain park and manufacture proprietary BMX bike features with parent company American Ramp Company (<https://americanrampcompany.com/>). The Dirt World community group has worked closely with ASC to develop and refine the design of the park and incorporate findings from our experience with riders at the park since 2018, and this collaboration will continue through completion of construction.

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

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.*

American Ramp Company worked for several meetings with the community and created the new Dirt World Bike Park renovation selected and awarded by the State. The City and Community had approximately one month to collaborate and design the renovation of Dirt World Bike Park. This included researching the existing site conditions and several collaboration meetings with the community in general.

Bike park design is unique and challenging, therefore we chose the most highly qualified and experienced contractor in the country. Working with an inexperienced contractor could result in substandard construction, and installation of a poorly designed or constructed bike park could result in injury or death to riders.

- 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.*

The project is a result of a collaboration in grant application submittal with the City, community members and design team including American Ramp Company. American Ramp Company has worked extensively with the community to create the bike pump track design that was awarded the grant funds. Now that funds have been awarded, American Ramp Company will continue their services to carry out the design and construction documents for the Dirt World Bike Park renovation.

American Ramp Company recently acquired Action Sports Construction, the original design-builder for Dirt World bike park. The community group has built a relationship with this builder and is confident in their ability to deliver a high-quality bike park to satisfy the city, park volunteers, visitors, and the state agency funding the project. The proposed bike park improvements are the result of a collaboration between the City, community members, and the design team led by the Dirt World crew with Action Sports Construction and includes unique and unparalleled expertise.

(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.

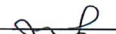
Department: Community Services Department

Requester Name and Title: Jene' Levine Snipes, Project Manager

Note: Requester must be able to defend this justification.


Date: 9/26/22

Phone: 510-307-8132

Department Director (Print) Joe Leach (Sign)  Date: 9/26/22

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

Finance Director:

APPROVED: 

DATE: 10/3/22

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.