



## 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:** R.M. Salazar, LLC **Contact Name:** Richard Salazar

**Address:** 1935 Stanton Avenue

**City:** San Pablo **State:** CA **Zip Code:** 94806

**Phone Number** ( 510 ) 221-7221 **E-Mail** rmurosalar@gmail.com

**Duration of Contract:** November 2022 - December 2024

**Estimated Cost:** \$ 348,132.00 **Funding Source (Account String)** 13564165-400201-360011

**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)*

Richard Muro Salazar was selected in 2016 by the Parchester Village Neighborhood Council to work with the community to paint a mural on the sound barrier walls along Giant Road. Since then, Richard has worked with the PVNC, Love Your Block project, MLC Holdings, and the Arts and Culture Commission NPA Mini Grants to fund small sections of the wall. This contract is funded by the 1% Public Art Developer fee by Meritage Homes Corporation / Richmond Country Club Housing to complete the 88 panel sections of the wall mural. The design and painting is a collaborative effort with the community, Love Your Block Program, Arts and Culture Division. No brand, model or part number.

**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.

The Parchester Village Neighborhood Council (PVNC) selected Richard Salazar as the muralist of choice for the mural painting on the 88 panel Sound Barrier Wall. Richard was raised in this community and has a long standing relationship, unlike any other possible vendor. There are no other companies who can perform this service. Richard has demonstrated performance with several other mural sections using the same collaborative community painting party method. Richard is the primary lead artist since 2016 and the only artist PVNC wants to work with. He is committed to completing this mural with and for PVNC.

*(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.*

Richard has a particular mural style that the community is familiar with making Richard the only artist the PVNC wants to work with on this mural project since 2016. There is a substantial risk to contract anyone other than Richard for this project since he is the artist who began the original project. Using any artists other than Richard Salazar may compromise the integrity of the mural as well as impact the schedule, which is aligned with the construction schedule of the Richmond Country Club Homes project.

- ☒ **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.*

Professional artist Richard Salazar has been the PVNC selected vendor since 2016. The scope of service and contribution of funds from the Richmond Country Club new housing project developer is defined to have the same artist who started the mural, finish the mural using the same method of community engagement. Small parts of this project mural project have been funded with Mini Grants from the Love Your Block Program and the Arts and Culture Neighborhood Public Art (NPA) Mini Grants over multiple years. It is not feasible or practicable to contract with any other artist than Richard Salazar as the Sole Source Vendor.

(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: Arts and Culture Division

Requester Name and Title: Winifred Day, Arts and Culture Manager

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

Date: October 20, 2022

Phone: 510 - 620-6952

Department Director (Print) Kinshasa Curl

(Sign) 

Date: 10/21/2022

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

**Finance Director:**

For D. Cuellar

APPROVED: \_\_\_\_\_

DATE: 10/25/2022

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.

