



# 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: NELB Consultants, LLC Contact Name: Nora Lake-Brown

Address: 41685 Calle Pino

City: Murrieta State: CA Zip Code: 94652

Phone Number ( 949 ) 230-3391 E-Mail nora@nelbconsultants.com

Duration of Contract: December 19, 2023 - December 31, 2025

Estimated Cost: \$ 200,000 Funding Source (Account String) 1516219 - 400201

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)*

NELB Consultants, LLC will provide on-call Financial and Development Advisory Services to Community Development and other City Departments.

**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.

Nora Lake-Brown was an associate of David Rosen & Associates (DRA), one of the firms providing these services. Ms. Lake-Brown has been working on numerous city projects. DRA has closed; therefore, NELB Consultants will be completing the work started under the DRA firm contract. Specifically, they will continue to advise the City of Richmond on the following on-going projects: Metrowalk Phase 2, Homekey, Miraflores, and 12th and Macdonald. The scope will remain the same for the assigned contract to NELB.

*(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.*

NELB will continue the work started by DRA, it will not be financially and strategically advantageous for the Community Development Department to start a new process for a financial advisor given the current ongoing work on the Metrowalk Phase 2, Homekey, Miraflores, and 12th and Macdonald development projects. The former DRA associates that make up NELB have been the only successful financial advisor to date to move projects forward that stalled for many years.

- 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.*

Nora Lake-Brown was an associate of David Rosen & Associates (DRA), one of the firms providing these on-call services. NELB will continue the work started by DRA, it will not be financially and strategically advantageous for the Community Development Department to start a new process for a financial advisor given the current ongoing work on the Metrowalk Phase 2, Homekey, Miraflores, and 12th and Macdonald development projects.

*(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 Development


Requester Name and Title: Lina Velasco, Director of Community Development

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

Date: November 29, 2023

Phone: 510-620-6706

Department Director (Print) Lina Velasco

(Sign) 

Date: November 29, 2023

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

**Finance Director:**

APPROVED: 

Digitally signed by Andrea Miller  
DN: cn=Andrea Miller, o=City of Richmond,  
ou=Finance,  
email=andrea\_miller@clrichmond.ca.us, c=US  
Date: 2023.12.05 23:08:45 -0800

DATE: 12/5/23

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.