



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: Larry Walker & Associates **Contact Name:** Alina Constantinescu

Address: 2397 Shattuck Ave

City: Berkeley **State:** CA **Zip Code:** 94704

Phone Number (510) 883-9673 **E-Mail** denisec@law.com

Duration of Contract: March 1, 2026-February 28, 2029

Estimated Cost: \$ \$960,000 **Funding Source (Account String)** 40322431-400202

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)

Larry Walker & Associates will provide professional wastewater and stormwater regulatory compliance support services to the City of Richmond. Services include NPDES permit compliance support, pretreatment program regulatory assistance, sanitary sewer system regulatory reporting, stormwater permit compliance, trash load reduction obligations, regulatory agency coordination, and preparation for upcoming permit renewals.

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.

Larry Walker & Associates has provided continuous wastewater and stormwater regulatory support to the City of Richmond since 2009 and has direct working knowledge of the City's NPDES permit conditions, historical compliance issues, enforcement interactions, reporting frameworks, and regulatory milestones. The firm is currently supporting the City during an active NPDES permit cycle and is engaged in preparatory work associated with the upcoming permit renewal. The firm also serves as regulatory consultant to the West County Wastewater District, the City's NPDES co-permittee, which ensures coordinated permit interpretation, consistent regulatory reporting, and unified communication with state and federal regulatory agencies. Due to the highly specialized and permit-specific nature of this work, transitioning to a new consultant would require substantial onboarding, re-development of institutional knowledge, duplication of prior regulatory analysis, and re-establishment of agency relationships. This would materially increase regulatory risk during an active permit cycle and upcoming renewal period. The services are not reasonably substitutable at this time without risk of inconsistent regulatory interpretation, reporting errors, missed deadlines, or enforcement exposure. This request is based on continuity of professional regulatory services, integration with existing compliance systems, and avoidance of material disruption to the City's wastewater and stormwater regulatory programs.

(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.***

The substantial risk includes loss of institutional regulatory knowledge, inconsistent NPDES permit interpretation between co-permittees, potential duplication of technical analysis, increased transition costs, and exposure to reporting or compliance errors during an active permit cycle and renewal process.

- 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 contract represents a continuation of ongoing regulatory compliance services that have been performed by the consultant since 2009. The additional term is required to maintain uninterrupted regulatory compliance and coordination through the upcoming permit renewal cycle.

(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 - Water Resources and Recovery

Requester Name and Title: Bradley Harms Environmental Manager

Note: Requester must be able to defend this justification.

Date: 3/2/2026

Phone: 510.307.8094

Department Director (Print) David Chavez

(Sign) 

Date: 03/02/2026

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

Finance Director: Emily Combs
Digitally signed by Emily Combs
Date: 2026.03.04 10:42:44 -08'00'

APPROVED: _____ DATE: ___/___/___

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.