

## Non-Competitive Procurement Justification

**Project Name:** Sylvester Excavating Inc. - Emergency Repairs/Directional Tunneling for Water and Sanitary Sewer Piping

**FEMA Identifier:** TBD

**Purpose:** Summary and Justify the Emergency Procurement of Sylvester Excavating Inc

### **I. Regulatory Basis for the Non-Competitive Procurement**

The City of North Port (the City) undertook this procurement under the justification provided in 2 CFR Part 200.320(c)(3):

- “The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation.”

### **II. Brief Description of the Product or Service Being Procured**

Piping in the system was damaged due to Hurricane Ian. These pipes provide water and pressure to the city’s distribution system of potable water and collection of waste. “Sylvester” was used to bore in piping needed to reestablish service of water and wastewater.

### **III. Why a Non-Competitive Procurement Was Necessary**

Because time was of the essence to ensure public health and safety, Sylvester, who is a known provider, that has the specific equipment and skills needed to perform the required repairs was able to respond quickly and repair/replace damaged piping. Both potable and waste water service were implicated in these repairs.

### **IV. Duration of Non-Competitive Contract Scope of Work**

Work was completed within the following weeks.

### **V. Why a Competitive Procurement Would Not Have Been Suitable**

Hurricane Ian’s passage over the City resulted in substantial damage to the potable and sanitary sewer services, both utilities being essential for ensuring public health and safety. The conditions on the ground immediately following the storm [e.g., lack of electricity, persistent flooding, etc.] did not allow for the City to try and find multiple contractors to quote on the work. It was imperative that these sections of piping be restored immediately, and as a known quantity to the City, Sylvester was well suited to perform the work.

### **VI. Conflict of Interest Checks**

No conflicts of interest, either known or apparent, exist between Sylvester and the city.

### **VII. Additional Considerations**

The purpose of these repairs was to restore public safety and health as quickly as possible by providing potable water and waste water collection and transmission.