

## Non-Competitive Procurement Justification

**Project Name:** Hurricane Ian - Temporary Trailer Hookups

**FEMA Identifier:** TBD

**Purpose:** Procurement Justification for Nichols Contracting, Inc. to provide temporary trailer facility hookups

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

A non-competitive procurement was undertaken by the City on the basis of the following regulatory exception found at 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**

The following service was procured from Nichols Contracting Inc. as part of the procurement request:

- Temporary trailer hookups
- Network Installation Supplemental Services [Via Change Order]

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

Damage to the City's Public Works facilities rendered them unsuitable for use and occupation following Hurricane Ian. As a result, temporary facilities [portable/modular] were procured. These facilities could not be utilized until utilities could be connected. The City reached out to three vendors, Ajax Building Company, LLC, Nichols Contracting, and Wharton-Smith Inc, but only Nichols Contracting, Inc [Nichols] provided a quote. In order to facilitate recovery from Hurricane Ian, and to allow the Department of Public Works to operate at its maximum possible capacity, the decision was made to go with the one responding vendor in lieu of seeking additional quotes or issuing a formal solicitation.

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

Services would include Nichols Contracting Inc. work until the job was complete.

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

Following the devastation from Hurricane Ian from Naples north to Sarasota, the demand for disaster-related services far out-paced the supply of qualified firms. The lack of response from the other two vendors contacted led the City to believe that the relatively small scope of its request for quotes could not generate the necessary interest from firms that may be already operating at or beyond capacity. As a known vendor to the City with a good reputation, the decision was made to contract with Nichols in lieu

of risking the uncertainty, cost, and delay of developing, advertising, reviewing, and selecting another vendor to perform the needed trailer hook ups.

**VI. Conflict of Interest Checks**

No conflicts of interest, either known or apparent, exist between Nichols Contracting Inc. and the City of North Port.

**VII. Additional Considerations**

The City of North Port Department of Public Works maintains that the work covered under this procurement was immediately necessary to allow City staff to perform their emergency and recovery operations and protect citizens from further health and safety issues related to Hurricane Ian.