

## Non-Competitive Procurement Justification

**Project Name:** Hurricane Ian – Emergency Road repairs

**FEMA Identifier:** TBD

**Purpose:** Establishing Justification for a Non-Competitive Procurement

### 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 Ajax Paving Industries of Florida, LLC ("Ajax") as part of the procurement request:

- Emergency road repairs for multiple sections of roadways including, Biscayne Blvd, Cranberry Blvd, Zellwood Terrace, and Ronald Street.

This work included filling an excessive number of dangerous potholes. Large patches of the identified roads were in need of road base repairs due to the extended time under water.

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

As a known contractor to the City of North Port, Ajax Paving Industries of Florida, LLC was contacted after Hurricane Ian landfall to support the City of North Port's emergency response needs according to the emergency services that had direct and immediate impact to the health, safety and welfare for our residents and visitors that travel on and live adjacent to the damaged roadways. Ajax Paving Industries of Florida, LLC was able to provide emergency roadway repairs to the transportation network as needed and in a timely manner. Accordingly, the procurement actions undertaken were necessary to ensure the City of North Port was able to continue operations for daily emergency support activities.

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

Services included Ajax Paving Industries of Florida working until the work was completed at the end of February 2023.

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

Hurricane Ian made landfall south of the City of North Port as Category 5 Hurricane, leaving generational destruction in its wake. Within the City, heavy rains pushed by Hurricane Force winds created several wash out situations on key City streets. Having these streets repaired were essential to beginning and sustaining emergency operations including police, fire/rescue, debris hauling, medical transport, and disaster logistics. As a known contractor with the City of North Port for emergency response activities and bringing in Ajax allowed the City of North Port to respond quickly and efficiently to the need of roadway repairs, clearing the way for emergency response activities to continue.

**VI. Conflict of Interest Checks**

No conflicts of interest, either known or apparent, exist between Ajax 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 protect City infrastructure and citizens from further health and safety issues resulting from Hurricane Ian.