

Monterey County Water Resources Agency
JUSTIFICATION OF SOLE SOURCE/SOLE BRAND REQUEST

Date: November 20, 2018

Description of Item: Program Management services for the Interlake Tunnel

1. Please indicate the following:

Procurement: ☐ Goods
☒ Services

(Check One)

☒ Sole Source: Item is available from one source only. Item is a one-of-a kind and is not sold through distributors. Manufacturer is exclusive distributor.

☐ Sole Brand: Various sources can supply the specified model and brand and competitive bids will be solicited for the requested brand only. Meets form, fit and function- nothing else will do.

Note: Sole Source/Sole Brand Requests are not maintained as a standing request.
Each request is for a single one-time purchase only.

2. Vendor Selection:

☐ Preferred Vendor
☒ Sole Source

Vendor Name: COWI North America, Inc

Address: 1300 Clay St. City: Oakland State: California

Phone Number: (805)-440-5777 Fax: ()

Contact Person: Ron Drake Title: Program Manager

Federal Employer #: 461081273

3. Provide a brief description of the goods/services to be purchased and why this purchase is being proposed under a sole source acquisition.

a) Why were product and/or vendor chosen?

COWI North America (COWI) is selected to perform the continuation of Program Manager services on the Interlake Tunnel in order to preserve continuity of program management services provided heretofore by Ron Drake, PE, who will be a COWI employee effective 12/31/18. Mr. Drake, and therefore COWI, have unique project understanding and project knowledge that will benefit MCWRA and the Interlake Tunnel project.

- b) What are the unique performance features of the product/brand requested that are not available in any other product/brand? For Services: what unique qualifications, rights, and licenses does the vendor possess to qualify as a sole source/brand request?

COWI, through the employment of Ron Drake, PE, has unique qualifications to perform the continuation of program management services for the Interlake Tunnel project because Mr. Drake has proven performance as the tunnel program manager since July 2014, has irreplaceable project history and knowledge, understands MCWRA, and provides continuity of managing the tunnel project at a time when MCWRA management is changing.

- c) Why are these specific features/qualifications required?

Continuity of program management services for the Interlake Tunnel are imperative to the success of the project especially with a change of management at MCWRA. Due to Mr. Drake's change of employment to COWI effective 12/31/18, selection of COWI for the program management services for the Interlake Tunnel project will maintain the continuity of leadership and management for the tunnel project and will assist MCWRA during a time of management change.

- d) What other products/services have been examined and/or rejected?

Continuation of program management services for the Interlake Tunnel by EPC Consultants was considered but rejected because of the desire to maintain the continuity of program management services and preservation of project management skills and project understanding and history of Mr. Drake (to be a COWI employee).

- e) Why are other sources providing like goods or services unacceptable (please give a full meaningful explanation)?

Other consultant services cannot bring the project history, project understanding, and confident management services for the Interlake Tunnel project compared to Mr. Drake employed by COWI.

- f) What are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this particular item or service?

The unique performance features are a solid and relevant understanding of the multiple facets of project development activities for the Interlake Tunnel project and an understanding of the MCWRA organization and staff providing an ability to continue without interruption the program management services and development activities for the tunnel project on behalf of MCWRA.

g) Estimated Costs:

Contract amount of \$300,000

4. Is there an unusual or compelling urgency associated with this project?

☐

No

☒

Yes (Please describe)

The project needs to move on expeditiously because of grant monies involved.

I hereby certify that:

1. I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment.
2. The information contained herein is complete and accurate.
3. There is justification for sole source/brand purchasing noted above.
4. A sole source/brand purchase in this case would withstand a possible audit or a vendor's protest.

David F. Chardavoigne
Authorized Signature by Department Head

21 November 2018
Date