

**SOLE SOURCE JUSTIFICATION**Project Manager: Michael Zeller Date: 11/10/2021Consultant/Vendor: Meyers NaveContract Amount: \$ 429,000Project Description: Monterey County Rail Extension Package 2 – Legal Services**Notice: Contracting without providing for full and open competition is prohibited unless justified on one or more of the boxes below.****BY MARKING THE BOXES BELOW, YOU ARE AFFIRMING THAT THE FOLLOWING STATEMENTS ARE TRUE**

- ✓ The need for a sole source is not due to a failure to plan or a lack of advanced planning.
- ✓ The need for a sole source is not due to concerns about the amount of State or Federal assistance available to support the procurement (for example, expiration of state or Federal assistance available for award).

**JUSTIFICATIONS FOR AWARD OF SOLE SOURCE CONTRACT (without FEDERAL FUNDING)****For non-federally funded contracts, at least one of these justifications must apply:**

- ☐ Only one contractor/consultant/vendor can provide unique/highly specialized item/service.
- ✓ Economy or efficiency supports award to existing contractor/consultant as a logical follow-on to work already in progress under a competitively awarded contract.
- ☐ Cost to prepare for a competitive procurement exceeds the cost of the work or item.
- ☐ The item is an integral repair part or accessory compatible with existing equipment.
- ☐ The item or service is essential in maintaining research or operational continuity.
- ☐ The item/service is one with which staff members who will use the item/service have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.

**EXPLANATION:** (please include a written explanation)

The initial contract with Meyers Nave was approved by the Board of Directors on June 25, 2014 after a competitive solicitation and included all of the properties required for Packages 1 and 2 of the Monterey County Rail Extension Project. This contract was originally procured via a Request for Qualifications process; Meyers Nave was selected out of three submittals. As the Package 1 acquisitions were progressing ahead of the Package 2 acquisitions, the Board bifurcated the contract into separate Package 1 and 2 contracts on October 24, 2018. The Agency is in the process of negotiating the acquisition of the final parcel required under the contract and is seeking to extend the term of the agreement with Meyers Nave to allow time to complete this work. Since Meyers Nave is currently representing the Agency as special legal counsel on this project and has extensive experience and knowledge of the Agency and the project, a sole source finding for the contract amendment is justified as a logical follow-on to work already in progress.