
To: CRCOG Policy Board
From: Timothy Malone, Principal Planner
Date: June 9, 2020
Subject: Reaffirming Sole Source Procurement for CDC-funded Project

In 2018, CRCOG was notified that it was selected to take part in a statewide active transportation project with the Connecticut Department of Public Health (DPH). The project, funded by the Centers for Disease control, did not start until June of 2019 due to delays in getting the funding agreement signed. Given the significant delays in getting a funding agreement in place, CRCOG opted to utilize an existing contractor to undertake the project. Fitzgerald and Halliday (FHI) was already under contract to work on the region's Complete Streets Plan and Policy and there was significant overlap in the scopes for the two projects. To coincide with CRCOG's funding agreement with the DPH, the contract with FHI was amended to include the first two years of the CDC-funded project, following the federal fiscal year.

In 2020, CRCOG staff began working with DPH on a year three funding agreement. Staff planned to conduct a competitive procurement process for year three (as well as any subsequent years that may be awarded). Unfortunately, due to the lockdown necessitated by the COVID-19 pandemic, those plans were complicated. The grant involves conducting smaller projects throughout the state. Projects that were scheduled for year two are now being delayed until year three. Activities that CRCOG was planning to include in the year three scope are also being moved to year two to fill in the gaps and use grant funds before they expire.

Staff are now convinced that the scheduling complications caused by this situation are not conducive to a competitive procurement process. Staff do not believe that the uncertainty caused by this situation will result in quality responses to a Request for Proposals and may negatively impact implementation. Projects will either be further delayed by being transitioned from our current consultant to a new consultant, or CRCOG will have to keep both consultants under contract.

Staff propose extending FHI's contract for a third year. This will permit staff and the consultants to better manage timelines of the individual projects being undertaken without interruption. If a fourth year of funding is awarded, staff would revisit the procurement process.

The attached resolution reaffirms the sole source determination made by CRCOG staff and permits the Executive Director to amend the contract with FHI.

RESOLUTION AUTHORIZING THE EXTENSION AND AMENDMENT OF THE CONTRACT FOR PLANNING SERVICES FOR THE STATEWIDE ACTIVE TRANSPORTATION PROJECT

WHEREAS, CRCOG was included in a five-year grant-funded project through the Connecticut Department of Public Health and funded by the Centers for Disease Control; **and**,

WHEREAS, Delays with the original funding agreement did not permit staff to conduct a full competitive procurement process for the project; **and**,

WHEREAS, CRCOG already had a qualified consultant team led by Fitzgerald and Halliday, Inc (FHI) under contract for a similar project and chose to extend that existing contract; **and**,

WHEREAS, CRCOG is receiving a third year of funding under the grant and intended to conduct a competitive procurement process; and,

WHEREAS, the COVID-19 pandemic has delayed and complicated the scheduling of activities being conducted under the grant; and,

WHEREAS, staff do not believe that a productive and efficient competitive process can be conducted at this point without undermining implementation of project activities;

NOW, THEREFORE, BE IT RESOLVED THAT the Policy Board of the Capitol Region Council of Governments agrees that the contract with FHI should be extended to cover the third year of funding under the CDC-grant project and authorizes the Agency's Executive Director Lyle D. Wray to act on behalf of the Capitol Region Council of Governments in negotiating, executing, and amending all appropriate and necessary contractual instruments with FHI.

CERTIFICATE

The undersigned duly qualified Secretary of the Capitol Region Council of Governments certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capitol Region Council of Governments Policy Board on June 22, 2020.

BY: _____ DATE: _____
Lori L. Spielman, Secretary