

# **Sole Source Procurements**

## **A Training for City Procurement Professionals**

**July 20, 2023**

**Jessica Augustin – Assistant Director, Procurement Operations**

**Sherique Vassell – Analyst , Procurement Operations**



**City Procurement Training Series**

# Course Agenda

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- What is a Sole Source procurement?
- How does it differ from other procurement methods?
- How do you complete a Sole Source procurement in PASSPort?



## What is a Sole Source? 3-05 (a)

- A Sole Source is a Procurement Method which City Agencies use when there is only one (1) source for a specific good, service, or construction
- PPB Rule Section 3-05 (a)

### **Section 3-05      SOLE SOURCE PROCUREMENT.**

**(a) Conditions for Use.** Sole source procurement shall be used only when there is only one source for the required good, service, or construction. In such case, the accepted price and terms and conditions shall be achieved through negotiation between the agency and the vendor. This section shall apply to all sole source procurements over \$20,000.

## Conditions of Use of the Sole Source Method – 3-05 (a)

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- ONLY when there is one (1) source/vendor for the required good, service, or construction.
- The contract value should be above \$20,000.
- Agency has performed its due diligence to confirm that there is no other vendor available to provide the goods or services needed by the City of New York.
- Since there is only one source for this good, service or construction, there is no competition and thus, the contract is not competitively awarded.
- Price is determined through negotiations between the Agency and Vendor.

## Determination - 3-05 (b)

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- Vendor Letter – A sole source letter from the vendor stating that the vendor is the sole proprietor or provider of the good or service. The best practice is that the letter is on a company’s letterhead with a recent date.
- ACCO Letter/Justification Memo – A letter from Agency ACCO which includes the following:
  - Description of the Process of determination
  - Description of the efforts made to solicit from other sources
  - A statement of Agency’s intended action to develop future competition
- RFI – A request for Expressions of Interest released in PASSPort to collect information about vendors interest and capability to provide this good or service.
- Publish an ad on the City Record Online (CROL).
- Comptroller Notification of intent to procure a sole source agreement – A copy of the letter shall be forwarded within five days of completion to the Comptroller.

## Public Notice – 3-05 (c)

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- A public Notice is required for many procurements methods, including Sole Source. When required, an ad is posted in the City Record Online. The City Record Online (CROL) is a fully searchable database of notices published in the City Record Newspaper. This includes, but is not limited to, Solicitations and awards, Public hearings and meetings, public actions and sales, and official rules proposed/adopted by city agencies.
- Currently, Public Notices are submitted through PASSPort
- If you have questions about a CROL notice, you may reach out to [CROLUpdates@dcas.nyc.gov](mailto:CROLUpdates@dcas.nyc.gov)

## Notice of Intent (CROL Posting) – 3-05 (c)

- A Notice of Intent must be posted in CROL within the RFI in PASSPort
- Must be posted for at least 5 consecutive editions, no less than 10 calendar days before negotiations begin, which is why the Sole Source RFI in PASSPort has to be out for 5 business days + 10 calendar days, as the RFI in PASSPort is how vendors can respond and express their interest.
- Must be posted simultaneously with CROL Publication

### Content of Notice of Intent

Agency name

EPIN

Title and/or brief description of the goods, services, or construction procured

Estimated quantity, if any

Name of the proposed vendor

Summary of the determination

How qualified vendors may obtain an application, or express their interest in providing such goods, service or construction

RFI due date

# Example of a Sole Source Notice of Intent (CROL Posting) - 3-05 (c)

## **PARKS AND RECREATION**

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### **CAPITAL PROGRAM MANAGEMENT**

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#### **■ INTENT TO AWARD**

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*Construction / Construction Services*

**84623Y0234-CAPITAL CONSTRUCTION WORK AT ASPHALT GREEN FACILITY** - Request for Information - PIN# 84623Y0234 - Due 9-15-22 at 2:00 P.M.

Pursuant to Section 3-05 of the New York City Procurement Policy Board Rules, the Department of Parks & Recreation (“Parks”), intends to enter into negotiations for an agreement with Asphalt Green Inc. (“Asphalt Green”) to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a five (5) year term.

Parks has determined that Asphalt Green is the sole provider for the required services because of an existing license agreement between Parks and Asphalt Green. The license agreement provides Asphalt Green with the sole right to perform services at the property including possible future expansion, plus operation of any necessary improvements. The license specifies that Asphalt Green may make alterations, installations, additions, or improvements to the property by using contractors or mechanics selected by Asphalt Green, subject to Parks prior approval.

Any firm that believes it is qualified to provide these services is invited to do so. Please indicate your interest by responding to the RFI EPIN: 84623Y0234 in PASSPort no later than September 15, 2022, 2:00 P.M.

If you have questions, please submit these through the Discussion Forum of the subject EPIN in the PASSPORT system.

← s8-14

## Notice of Award (CROL Posting) – 3-05 (c)

- A Notice of Award must be posted in CROL within the Contract stage in PASSPort
- CROL posting least 1 posting editions, within 15 calendar days of registration

### Content of Notice of Award

Agency name

EPIN

Title and/or brief description of the goods, services, or construction procured

Name and address of the vendor

Dollar value of the contract

The date of the published notice of intent to enter sole source negotiations

Summary determination of the basis for the sole source procurement

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■ AWARD

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*Construction / Construction Services*

**CAPITAL CONSTRUCTION WORK AT ASPHALT GREEN FACILITY** - Sole Source - Other - PIN# 84623S0004001 - AMT: \$5,000,000.00 - TO: Asphalt Green, Inc., 555 East 90th Street, New York, NY 10028-7803.

Agreement with Asphalt Green Inc. to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a three (3) year term, pursuant to License Agreement.

← j9

# Additional Requirements, Local Laws and Public Hearing

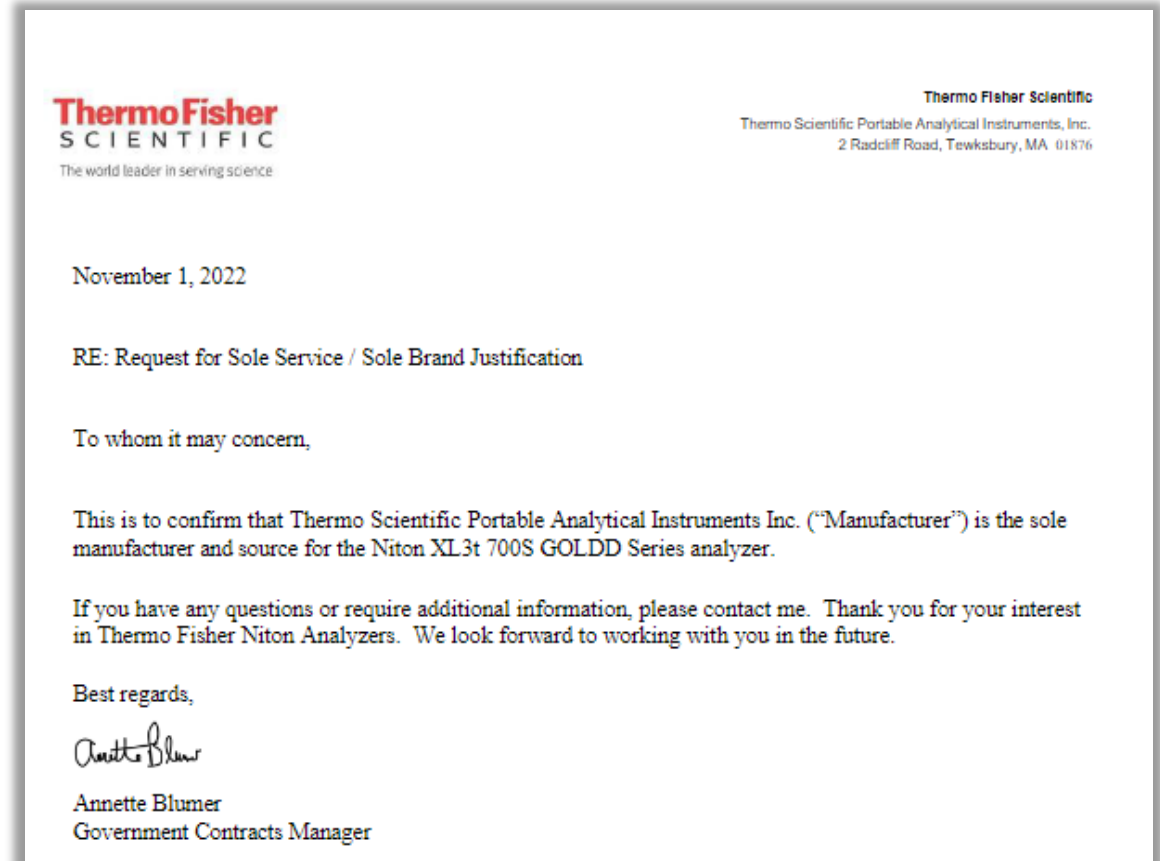
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- All Sole Source Procurements for Professional Services or Standard Services that are valued above \$200,000.00, are subject to Local Law 63 Posting. This means, agencies need to have the item advertised on their LL63 Plan prior to beginning solicitation.
- Local Law 63 Displacement Determination Form should be completed and uploaded within the PSR in PASSPort.
- All Sole Source Procurements are exempt from Local Law 1.
- Sole Source procurements valued above \$5,000 are subject to Local Law 34, and therefore vendors with Sole Source contracts do need to include the relevant positions (CEO, CFO, COO, etc.) in their PASSPort Vendor Profile, and fill out the LL34 tab in PASSPort within the Contract phase.
- As with most procurement methods, Sole Source contracts that are over \$100,000.00 are subject to Public Hearing within the Contract phase in PASSPort.

# Example 1 – Situations on When to Use Sole Source – Goods

The Department of Health and Mental Hygiene intends to enter into a sole source agreement with **Thermo Fisher**, for the provision of the **Niton XL3t 700S GOLDD**, a hand-held Consumer Goods Analyzer. The Department requires this instrument specifically because it provides lead concentrations of tested surfaces in seconds, it has the ability to measure heavy metal content in consumer products and it reports the results. **This is the only product on the market** that provides this function.

In addition, DOHMH has determined that **Thermo Fisher**, is the sole manufacturer and source for the **Niton XL3t 700S GOLDD Series analyzer**. Thus, all purchases are made directly from Thermo Fisher.



## Example 2 – Situations on When to Use Sole Source – Professional Services

The DCAS Admin Police Unit supports City of New York citizens and employee's safety with the use of various X-Ray machines located throughout the five boroughs.

The intent of this sole source procurement is to request maintenance services for a period of three years on 33 X-ray machines utilized at various DCAS facilities previously purchased from Astrophysics INC. **Astrophysics INC., is the only provider to support and maintain their own X-Ray machines.**

DCAS has determined this sole source award is in the best interest of the city because **Astrophysics INC., is the sole source seller and provider of maintenance.**



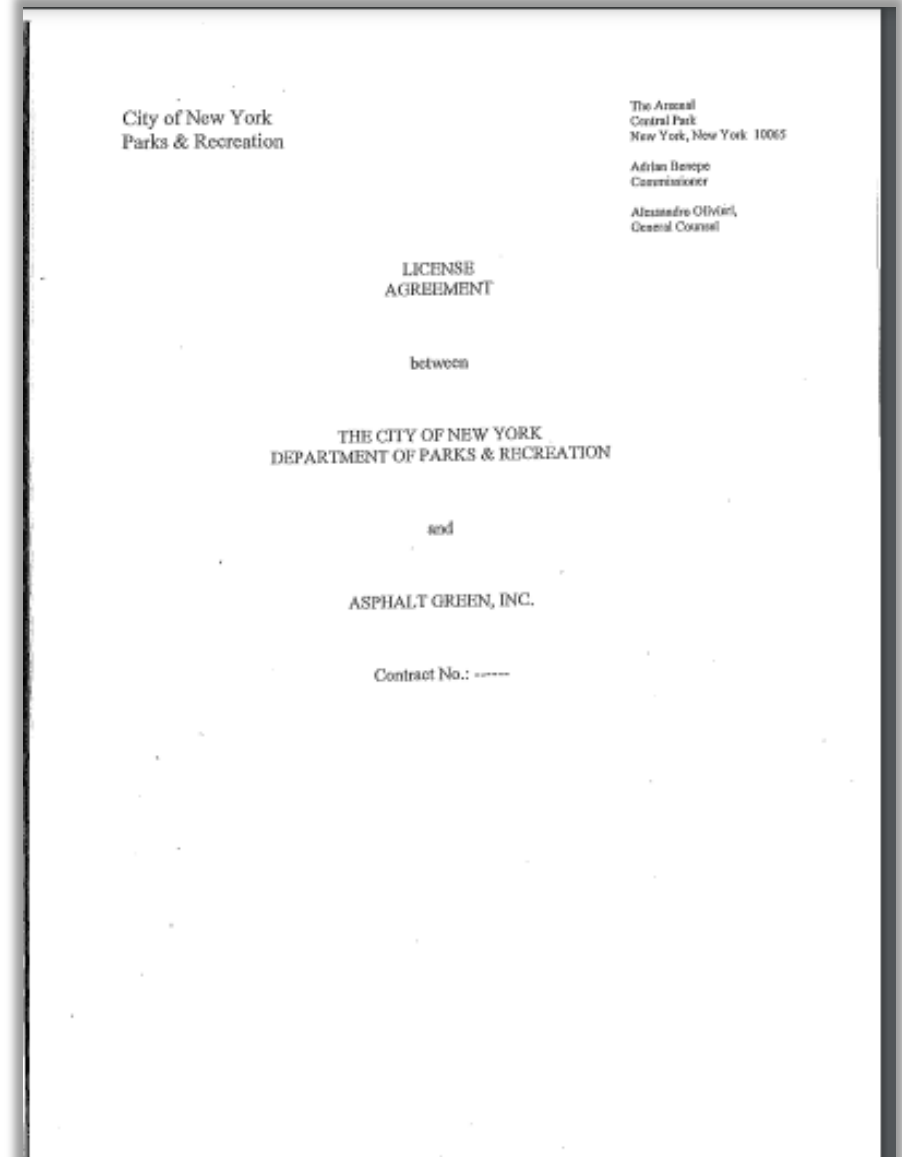
## Example 3 – Situations on When to Use Sole Source – Construction Services

The Department of Parks & Recreation (“Parks”) intends to enter into a sole source agreement with Asphalt Green Inc. (“Asphalt Green”) to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan.

Similar to other agreements with non-profit organizations (Central Park Conservancy, Prospect Park Alliance, etc.) the City of New York, through Parks, partners with non-profit organizations to perform necessary capital reconstruction work at city-owned facilities.

Asphalt Green is a not-for-profit organization that was formed, for the purpose of promoting and assisting in the restoration, development, maintenance and management of the Asphalt Green facility and property, which is owned by Parks.

**Pursuant to the most recent License Agreement dated December 1, 2011, Asphalt Green possesses and solely uses, operates, controls and manages the property through December 31, 2031. Further, the license agreement affords Asphalt Green the sole right to perform services at the property including possible future expansion, plus operation of any necessary improvements.** The license specifies that Asphalt Green may make alterations, installations, additions, or improvements to the property by using contractors or mechanics selected by Asphalt Green, subject to Parks prior approval.



# Tips for Negotiation

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- Do market research and get benchmark data to find out what price range the vendor charged for the item or service for in the past. You can also use the prices of similar goods or services as a benchmark.
- Check if the vendor has a contract with OGS or GSA, and if they do, use the intergovernmental method to obtain the good or service. Usually, vendors with contract with OGS or GSA have lower prices on those contracts, those prices may be used as a benchmark to negotiate the price down even further.

# Sole Source Procurement Workflow in PASSPort

- Prior to the RFI the Agency would:
  - Obtain Sole Source vendor letter determining if there are any resellers of the good or services
  - Search if the vendor is on an OGS or GSA contract offering the same good or services
  - Agency generates their Sole Source Justification Memo/ACCO Letter





Please note the PASSPort screenshots included in this presentation display functionality of the **current iteration** of PASSPort and thus could look different with future iterations of PASSPort.

# Sole Source – Sourcing – Setup Project

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623Y0234-Capital Construction Work at Asphalt Green Facility - Setup Project

Save Save and Close Other Actions

- Setup Project**
- Setup Team
- Setup Documents
- Discussion Forum
- Select Vendors
- Prepare RFX
- View RFX activity
- Evaluation and Award

**GENERAL INFORMATION**

Sourcing Project Status : Responses Received  
Procurement Method : RFI  
Sourcing Project Type : RFI  
Sourcing EPIN : 84623Y0234  
Procurement Title : 84623Y0234-Capital Construction Work at Asphalt Green Facility  
Procurement Label : Capital Construction Work at Asphalt Green Facility  
Soliciting Agency : DEPARTMENT OF PARKS AND RECREATION  
Division : CAPITAL PROGRAM MANAGEMENT  
Program : 846\_25 - Capital Manhattan - Construction  
Industry : Construction  
Main commodity : 135 - Parks and Site Work Construction  
Other commodities :

Anticipated Contract Start date \* : 11/15/2022  
Anticipated Contract End date \* : 11/14/2027  
Consecutive Contract Duration : 1825  
Total Estimated Procurement Value ⓘ : 5,000,000.00  
Anticipated Number of Awards : 1  
Sole Source RFI : Yes  
FMS Contract Type : Master Services Agreements (MMA1)  
Link to Concept Report :  
Vendor Response Date and Time : 09/15/2022 14:00:00 (Your Local Time)  
This is an Open-Ended RFP :   
Community Board District ⓘ : Manhattan Community Board 11  
Manhattan Community Board 8  
[Look up your Community district here.](#)

# Sole Source – Sourcing – Setup Documents

- Vendor Letter and ACCO letter should be uploaded to the Setup Documents Tab
- In this case as this Sole Source is due to a License Agreement between Asphalt Green and NYC Parks, the Agency would upload the license agreement to show proof of Sole propriety.

The screenshot shows a software interface for document management. On the left is a dark blue sidebar with white text and icons for various actions: Setup Project, Setup Team, Setup Documents (highlighted with a red box), Discussion Forum, Select Vendors, Prepare RFX, View RFX activity, and Evaluation and Award. The main content area is white and divided into three sections: 'GENERAL DOCUMENTS', 'PROGRAM DOCUMENTS', and 'SOURCING PROJECT DOCUMENTS'. Each section has a 'Zip selected documents' button. The 'SOURCING PROJECT DOCUMENTS' section shows a table with two rows of documents. The table has columns for selection, actions, title, document icon, and document type. Below the table, it indicates '2 Result(s)'.

<input type="checkbox"/>			Title	Document	Document Type
<input type="checkbox"/>			Vendor Letter - Sole Source .		RFX Document
<input type="checkbox"/>			ACCO Letter - Sole Source Justification Memo .		RFX Document

# Sole Source – Sourcing – Select Vendors

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623Y0234-Capital Construction Work at Asphalt Green Facility - Select Vendors

Save and Close Save

- Setup Project
- Setup Team
- Setup Documents
- Discussion Forum
- Select Vendors**
- Prepare RFX
- View RFX activity
- Evaluation and Award

VENDOR LIST

Vendor List Type : Citywide Bidders List  
Associated Procurement method : RFI

Selected	Vendor's EIN	Vendor	M/WBE Certification	Vendor's FMS Code	PASSPort Vendor Status
<input checked="" type="checkbox"/>	274934157	APACHE ENVIRONMENTAL & DEVELOPMENT LLC 274934157	Hispanic American NYS Minority Certified	VC00158286	Filed
<input checked="" type="checkbox"/>	9990009999	Citywide Bidders List 9990009999			Filed
<input checked="" type="checkbox"/>	133491326	COPPOLA PAVING & LANDSCAPING CORP. 133491326		0000856824	Filed
<input checked="" type="checkbox"/>	832675086	Covenant Contracting Group Inc 832675086			Filed
<input checked="" type="checkbox"/>	463206439	MARVEL ARCHITECTS LANDSCAPE ARCHITECTS URBAN DESIGNERS PLLC 463206439	Hispanic American NYS Minority Certified	VS00016290	Filed
<input checked="" type="checkbox"/>	204708892	P&T II CONTRACTING CORP 204708892		0002821783	Filed
<input checked="" type="checkbox"/>	133644075	PERKAN CONCRETE CORP 133644075	Asian American NYS Minority Certified	0000881478	Filed
<input checked="" type="checkbox"/>	873457783	PRESTIGE FENCING INC 873457783	Hispanic American	VS00074278	Filed
<input checked="" type="checkbox"/>	112168309	ROCCO AGOSTINO LANDSCAPE & GENERAL CONTRACTOR CORP 112168309		0000475713	Filed
<input checked="" type="checkbox"/>	272089263	SKY HEIGHTS CONSTRUCTION CORP 272089263	Asian American NYS Minority Certified	VC00110051	Filed
<input checked="" type="checkbox"/>	881031956	Sweet Group LLC 881031956		VS00079811	Filed
<input checked="" type="checkbox"/>	043627461	TONY MASONRY LLC 043627461		0002314745	Filed

12 Result(s)

# Sole Source – Sourcing – Prepare RFX - Setup

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX

Save and Close Save Post intent to Award Other Actions

Selected Round: Round 1: 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed)

Setup Documents Vendors Questionnaire Scoring Item Competition Pool

**Prepare RFX**

View RFX activity

Evaluation and Award

**TEXT ALERTS**

**RFX SETTINGS**

Published:

Rfx Status: Closed

Rfx Name: 84623Y0234- Renovation and Reconstruction of Asphalt Green

Rfx Type: RFI

Round #: 1

Stop Status:

Is a template:

Publish to CrdP:

Lot #: 1

**KEY DATES**

Release Date: 09/08/2022 08:00:00 (Your Local Time)

Response Due Date: 09/15/2022 14:00:00 (Your Local Time)  Auto closure

Question Deadline:

**PRE-PROPOSAL/PRE-BID CONFERENCE**

0 Result(s)

Accessibility Options:

Make Visible to Vendors:

**ADVANCED OPTIONS**

Vendors must sign an NDA

Publish Procurement to the Public Portal

Vendors must acknowledge receipt of Rfx

Allow multiple total columns (but only one per grid)

Vendors can add items to the item grid

Sealed Bidding

**SUMMARY**

Sourcing EPIN: 84623Y0234

Program: 846 25 - Capital Manhattan - Co

Industry: Construction

Estimated Number of Contracts: 1.00

Estimated Procurement Value: 5,000,000.00

Visible to vendors?:

Agency: DEPARTMENT OF PARKS AND RECREATION

Division: CAPITAL PROGRAM MANAGEMENT

Agency Contact First Name: Maureen

Agency Contact Last Name: Babis

Agency Contact Phone: 17187606921

Agency Contact Email: maureen.babis@parks.nyc.gov

**PUBLICATION DATES**

Post to Public Portal Date: 09/08/2022 08:00:00 (Your Local Time)

**PROCUREMENT DESCRIPTION AND STATEMENT OF NEED**

Pursuant to Section 3-05 of the New York City Procurement Policy Board Rules, the Department of Parks & Recreation ("Parks") intends to enter into negotiations for an agreement with Asphalt Green Inc. ("Asphalt Green") to undertake certain capital reconstruction work on the property located at 100th Street and 1st Avenue, East Harlem, Manhattan, New York City. Parks has determined that Asphalt Green is the sole provider for the required services because of an existing license agreement between Parks and Asphalt Green. The license agreement provides Asphalt Green with the sole right to perform services at the property including but not limited to the maintenance and repair of playground equipment, and the maintenance and repair of park structures. Any firm that believes it is qualified to provide these services is invited to do so. Please indicate your interest by responding to the RFI EPIN: 84623Y0234 in PASSPORT no later than September 15, 2022, 2:00PM

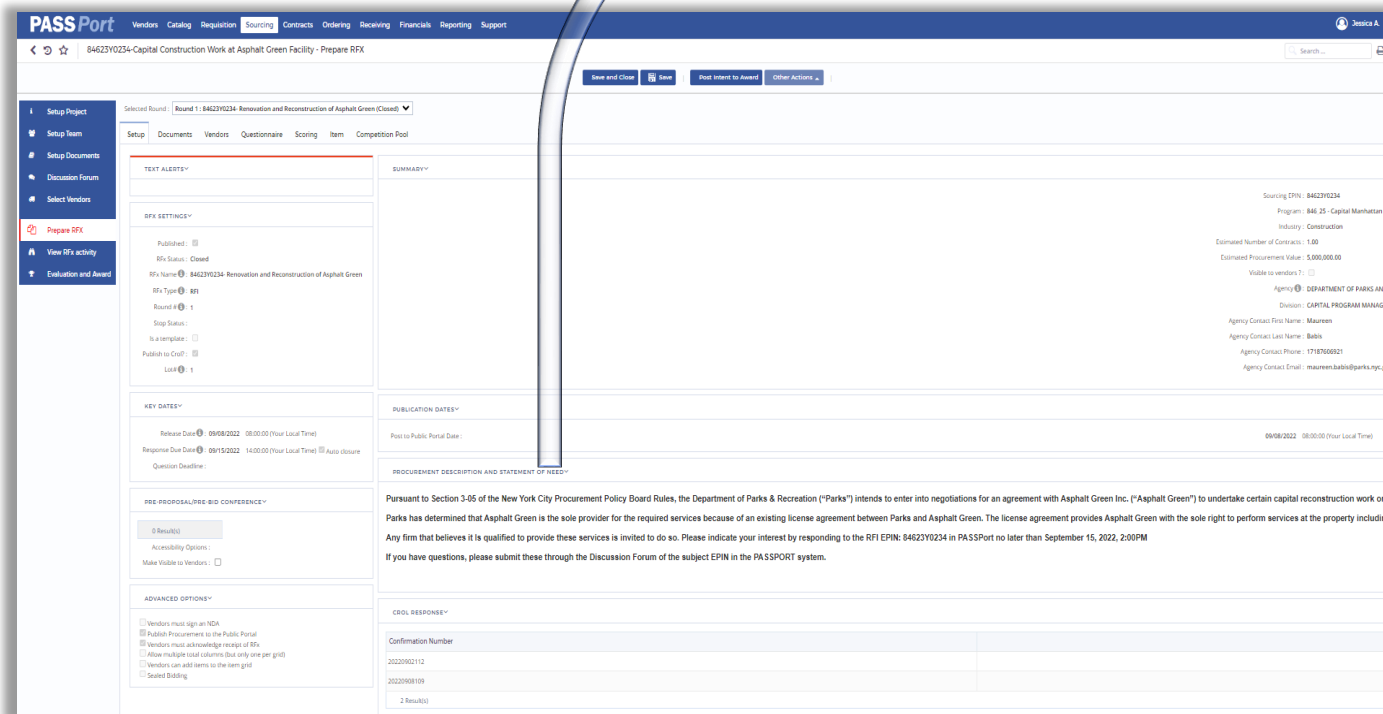
If you have questions, please submit these through the Discussion Forum of the subject EPIN in the PASSPORT system.

**CROL RESPONSE**

Confirmation Number
20220902112
20220908109

2 Result(s)

# Sole Source – Sourcing – Prepare RFX - Setup



## Procurement Description and Statement of Need:

Pursuant to Section 3-05 of the New York City Procurement Policy Board Rules, the Department of Parks & Recreation ("Parks") intends to enter into negotiations for an agreement with Asphalt Green Inc. ("Asphalt Green") to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a five (5) year term.

Parks has determined that Asphalt Green is the sole provider for the required services because of an existing license agreement between Parks and Asphalt Green. The license agreement provides Asphalt Green with the sole right to perform services at the property including possible future expansion, plus operation of any necessary improvements. The license specifies that Asphalt Green may make alterations, installations, additions, or improvements to the property by using contractors or mechanics selected by Asphalt Green, subject to Parks prior approval.

Any firm that believes it is qualified to provide these services is invited to do so. Please indicate your interest by responding to the RFI EPIN: 84623Y0234 in PASSPort no later than September 15, 2022, 2:00PM

If you have questions, please submit these through the Discussion Forum of the subject EPIN in the PASSPORT system.

# Sole Source – Sourcing – RFX Setup Reminders

## Things to keep in mind when filling out the Prepare RFX Setup tab:

- Click  – 5 days before RFI release date (to allow CROL time for confirmation)
- Click  – On release date – 5 consecutive Posting days begin same day as release
-  shows up and is Clicked same day as 
- Release for 10 calendar days following the date of last publication of the CROL ad
- Must be posted for at least 5 consecutive CROL editions, no less than 10 calendar days before negotiations to begin, for a total of at least 15 days prior to negotiating with the identified vendor

# Sole Source – Sourcing – Prepare RFX - Documents

The screenshot shows the PASSPort Sourcing interface. The top navigation bar includes 'PASSPort' and various menu items: Vendors, Catalog, Requisition, Sourcing (highlighted), Contracts, Ordering, Receiving, Financials, Reporting, and Support. Below the navigation bar, the breadcrumb path is '84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX'. On the right side, there are buttons for 'Save and Close', 'Save', 'Post Intent to Award', and 'Other Ac'. The main content area has a 'Selected Round' dropdown set to 'Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed)'. Below this, there are tabs for 'Setup', 'Documents' (highlighted), 'Vendors', 'Questionnaire', 'Scoring', 'Item', and 'Competition Pool'. On the left, a sidebar menu lists several options, with 'Prepare RFX' highlighted. The main content area displays a table titled 'DOCUMENTS TO BE REVIEWED BY THE VENDOR OR REFERENCED FROM THIS RFP'. The table has columns for 'Title', 'Document', and 'Type'. A 'Zip selected documents' button is located above the table. The table contains three rows: 'Title', 'Addendum', and 'Scope of Work/Deliverables - Asphalt Green'. The 'Scope of Work/Deliverables - Asphalt Green' row is highlighted.

Selected Round : Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed) ▼

Setup Documents Vendors Questionnaire Scoring Item Competition Pool

DOCUMENTS TO BE REVIEWED BY THE VENDOR OR REFERENCED FROM THIS RFP

Zip selected documents

<input type="checkbox"/>	Title	Document	Type
<input type="checkbox"/>	Addendum		Addendum Document
<input type="checkbox"/>	Scope of Work/Deliverables - Asphalt Green		RFX Document

# Sole Source – Sourcing – Prepare RFX - Vendors

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX

Save and Close Save Post Intent to Award Other Actions

Selected Round: Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed)

Setup Documents **Vendors** Questionnaire Scoring Item Competition Pool

**Prepare RFX**

**INVITED VENDORS**

<input type="checkbox"/>	Invited Vendors
<input checked="" type="checkbox"/>	COPPOLA PAVING & LANDSCAPING CORP.
<input checked="" type="checkbox"/>	P&T II CONTRACTING CORP
<input checked="" type="checkbox"/>	PERKAN CONCRETE CORP
<input checked="" type="checkbox"/>	ROCCO AGOSTINO LANDSCAPE & GENERAL CONTRACTOR CORP
<input checked="" type="checkbox"/>	SKY HEIGHTS CONSTRUCTION CORP
<input checked="" type="checkbox"/>	MARVEL ARCHITECTS LANDSCAPE ARCHITECTS URBAN DESIGNERS PLLC
<input checked="" type="checkbox"/>	APACHE ENVIRONMENTAL & DEVELOPMENT LLC
<input checked="" type="checkbox"/>	TONY MASONRY LLC
<input checked="" type="checkbox"/>	<b>Citywide Bidders List</b>
<input checked="" type="checkbox"/>	PRESTIGE FENCING INC
<input checked="" type="checkbox"/>	Sweet Group LLC
<input checked="" type="checkbox"/>	Covenant Contracting Group Inc

12 Result(s)

# Sole Source – Sourcing – Prepare RFX – Questionnaire

The screenshot shows the PASSPort Sourcing interface. The top navigation bar includes 'PASSPort' and various menu items: Vendors, Catalog, Requisition, Sourcing (highlighted with a red box), Contracts, Ordering, Receiving, Financials, Reporting, and Support. Below the navigation bar, the breadcrumb trail reads '84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX'. On the right side, there are buttons for 'Save and Close', 'Save', 'Post Intent to Award', and 'Other Actions'. A dropdown menu shows 'Selected Round: Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed)'. Below this, a secondary navigation bar includes 'Setup', 'Documents', 'Vendors', 'Questionnaire' (highlighted with a red box), 'Scoring', 'Item', and 'Competition Pool'. On the left side, a vertical sidebar contains several menu items: 'Setup Project', 'Setup Team', 'Setup Documents', 'Discussion Forum', 'Select Vendors', 'Prepare RFX' (highlighted with a red box), 'View RFX activity', and 'Evaluation and Award'. The main content area is titled 'CREATION BY IMPORT' and offers two download options: 'Download in Excel 2007-2010 format (xlsx)' and 'Download in Excel 97-2003 format (xls)'. There are also 'Preview' and 'Select Template' buttons. A table displays the questionnaire items:

Type	Section/Question	Mandatory	Answers	Multi	In scoring	Weight
Section	Expression of Interest				<input type="checkbox"/>	1.00
Long text	Expression of Interest	<input checked="" type="checkbox"/>			<input type="checkbox"/>	1.00

2 Result(s)

# Sole Source – Sourcing – Prepare RFX – Item

The screenshot displays the PASSPort web application interface. At the top, a dark blue navigation bar contains the 'PASSPort' logo and a series of menu items: 'Vendors', 'Catalog', 'Requisition', 'Sourcing', 'Contracts', 'Ordering', 'Receiving', 'Financials', 'Reporting', and 'Support'. The 'Sourcing' menu item is highlighted with a red rectangular box. Below the navigation bar, a breadcrumb trail shows the current path: '< > ⭐ 84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX'. To the right of the breadcrumb is a search box labeled 'Search ...'. Below the breadcrumb, there are four action buttons: 'Save and Close', 'Save', 'Post Intent to Award', and 'Other Actions'. The main content area features a sub-header 'Selected Round : Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed)'. Below this, a secondary navigation bar includes 'Setup', 'Documents', 'Vendors', 'Questionnaire', 'Scoring', 'Item', and 'Competition Pool'. The 'Item' tab is highlighted with a red rectangular box. The main content area contains the text 'Create Quote Form on this tab by adding lines, new columns or importing from excel'. Below this text are four input fields: 'Keywords :', 'Grid :', 'Group :', and 'Type :'. Each field has a dropdown arrow. To the right of these fields are two buttons: 'Search' and 'Reset'. Below the input fields is a button labeled 'Export grids to Excel'. On the left side of the interface, a vertical sidebar menu is visible, listing several options: 'Setup Project', 'Setup Team', 'Setup Documents', 'Discussion Forum', 'Select Vendors', 'Prepare RFX', 'View RFX activity', and 'Evaluation and Award'. The 'Prepare RFX' option is highlighted with a red rectangular box.

# Sole Source – Sourcing – Competition Pool

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support


< ↻ ☆ 84623Y0234-Capital Construction Work at Asphalt Green Facility - Prepare RFX

Save and Close Save Post Intent to Award Other Actions

Selected Round : Round 1 : 84623Y0234- Renovation and Reconstruction of Asphalt Green (Closed) ▾

Setup Documents Vendors Questionnaire Scoring Item **Competition Pool**

COMPETITION POOLS ▾

Competition Pool Name	Status	Estimated number of contracts	Estimated Contract Value
 Renovation and Reconstruction of Asphalt Green	Activated		

1 Result(s)

Requests For Proposals # : 11818

- Setup Project
- Setup Team
- Setup Documents
- Discussion Forum
- Select Vendors
- Prepare RFX**
- View RFX activity
- Evaluation and Award

## Sole Source – After the Sourcing RFI, but before the Requisition

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- After the RFI has ended, the Agency will go into PASSPort (Evaluation and Awards Tab) to complete their required analysis
- Open and review the responses from the vendors, if any
- If response was received, confirm that the vendor has met the requirements
- Be sure to complete your responsiveness check (Evaluation and Awards Tab)
- Once responsiveness has been deemed, the agency can initiate a Sourcing Requisition

# Sole Source – Requisition – Sourcing Requisition

**PASSPort** Vendors Catalog **Requisition** Sourcing Contracts Ordering Receiving Financials Reporting Support

Requisition : REQ491339 - Capital Construction Work at Asphalt Green Facility (Approved)

**Sourcing Requisition**

Procurement Method

Workflow

**REQUISITION HEADER**

Status : Approved  
 Type : Sourcing  
 Label : Capital Construction Work at Asphalt Green Facility  
 Requestor : Gelman Irina  
 Requesting Agency : DEPARTMENT OF PARKS AND RECREATION      Epin : 8462350004  
 Division : CAPITAL PROGRAM MANAGEMENT  
 Program :  
 File(s) :  
 Contract Type : Master Services Agreements (MMA1)  
 Anticipated Contract Period : 11/15/2022      to : 11/15/2025  
 Renewal Options : Yes  
 Renewal Term : 730 CCDs  
 Suggested Industry : Construction  
 Selected Industry : Construction  
 Link To RFI : 84623Y0234-Capital Construction Work at Asphalt Green Facility  
 Confidential Procurement :   
 Avg. No. of Users Per Day :

**PROCUREMENT DESCRIPTION AND EXECUTIVE SUMMARY**

Agreement with Asphalt Green Inc. ("Asphalt Green") to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a three (3) year term, pursuant to License Agreement.

Soliciting Agency : DEPARTMENT OF PARKS AND RECREATION

**FUNDING SOURCES**

0 Result(s)

**COMMENT**

	<input type="checkbox"/>	#	PR/Order item Label	Ordered Quantity	Unit		Begin	End	Commodity	Total Estimated Cost	Order
	<input type="checkbox"/>	491339-1		1.00	Each	✓			110 - General Contractor/Construction Services	5,000,000.00	

1 Result(s)

Amount : 5,000,000.00 USD

# Sole Source – Requisition – Procurement Method

**PASSPort** Vendors Catalog **Requisition** Sourcing Contracts Ordering Receiving Financials Reporting Support

← ↻ ☆ Requisition : REQ491339 - Capital Construction Work at Asphalt Green Facility (Approved)

**Sourcing Requisition**

**Procurement Method**

Workflow ⓘ

PROCUREMENT METHOD QUESTIONNAIRE

**Industry:** Construction **Estimated Total Cost:** 5,000,000.00 **PM Req:** REQ491339-Capital Construction Work at Asphalt Green Facility

I confirm that I am finalizing the requisition and acknowledge that the procurement method cannot be changed:

SELECT THE PROCUREMENT METHOD BELOW

Procurement Method : Sole Source

Basket : REQ491339-Capital Construction Work at Asphalt Green Facility

Is there only one source for the required good, service, or construction? ⓘ :

Yes  No

Link RFI

84623Y0234-Capital Construction Work at Asphalt Green Facility

Select the Vendor. ⓘ :

ASPHALT GREEN, INC.

Is this an accelerated procurement for commodities that must be obtained quickly due to significant shortages and/or short-term price fluctuations in any of the following markets: chemicals,energy,food,metals (ferrous and non-ferrous), paper and plastics? ⓘ :

Is this an accelerated procurement for commodities that must be obtained quickly due to significant shortages and/or short-term price fluctuations in any of the following markets:chemicals,ene :  Yes  No

# Sole Source – Sourcing – Setup Project

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623S0004-Capital Construction Work at Asphalt Green Facility - Setup Project

Save Save and Close

**Setup Project**

- Setup Team
- Setup Documents
- Pre-Solicitation Review

**GENERAL INFORMATION**

Sourcing Project Status : Selections Made  
Procurement Method : Sole Source  
Sourcing Project Type : Non Competitive Sourcing Project  
Sourcing EPIN : 84623S0004  
Procurement Title : 84623S0004-Capital Construction Work at Asphalt Green Facility  
Procurement Label : Capital Construction Work at Asphalt Green Facility  
Requesting Agency : DEPARTMENT OF PARKS AND RECREATION  
Soliciting Agency : DEPARTMENT OF PARKS AND RECREATION  
Division : CAPITAL PROGRAM MANAGEMENT  
Program : 846\_25 - Capital Manhattan - Construction  
Industry : Construction  
Main commodity : 110 - General Contractor/Construction Services  
Other commodities :

Anticipated Contract Start date \* : 11/15/2022  
Anticipated Contract End date \* : 11/15/2025  
Consecutive Contract Duration : 1096  
Total Estimated Procurement Value : 5,000,000.00  
Anticipated Number of Awards : 1

FMS Contract Type : Master Services Agreements (MMA1)  
Funding Type :  
Vendor : ASPHALT GREEN, INC. 136533158  
Link to RFI : [84623Y0234-Capital Construction Work at Asphalt Green Facility](#)  
Link to Concept Report :  
Link to Requisition :

[REQ491339-Capital Construction Work at Asphalt Green Facility](#) Link to Contracts :  
Capital Construction Work at Asphalt Green Facility  
1 Result(s)

Accelerated Procurement :   
HHS Accelerator Procurement :   
Confidential Procurement :   
This is an Open-Ended RFP :   
Community Board District : Manhattan Community Board 8  
Look up your Community district [here](#).

# Sole Source – Sourcing – Setup Documents

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623S0004-Capital Construction Work at Asphalt Green Facility - Setup Documents

Save Save and Close

- Setup Project
- Setup Team
- Setup Documents**
- Pre-Solicitation Review

GENERAL DOCUMENTS

Zip selected documents

0 Result(s)

PROGRAM DOCUMENTS

Zip selected documents

0 Result(s)

SOURCING PROJECT DOCUMENTS

Zip selected documents

<input type="checkbox"/>			Title	Document	Document Type
<input type="checkbox"/>			Vendor Letter - Sole Source		RFx Document
<input type="checkbox"/>			ACCO Letter - Sole Source Justification Memo		RFx Document
			Displacement Determination Form (LL63)		

# Sole Source – Sourcing – Pre-Solicitation Review - Summary

The screenshot displays the PASSPort web application interface. At the top, a navigation bar includes the PASSPort logo and menu items: Vendors, Catalog, Requisition, Sourcing (highlighted with a red box), Contracts, Ordering, Receiving, Financials, Reporting, and Support. Below the navigation bar, the breadcrumb path is 84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review. On the right side of this path, there are 'Save' and 'Save and Close' buttons. A left-hand sidebar contains navigation options: Setup Project, Setup Team, Setup Documents, and Pre-Solicitation Review (highlighted with a red box). The main content area shows the 'Summary' tab (highlighted with a red box) selected. The status is 'Approved' and the version is 'Original Submission'. A secondary navigation bar includes 'Summary' (highlighted), Financials, Contracting Out for Technical Consulting, Personal Services, Labor Considerations, M/WBE Considerations, Source Selection Method, and Environmental Considerations. The 'ANTICIPATED CONTRACT TERMS' section lists: Renewal Options : Yes, Number of Renewals : 1, Renewal Period : 2, Renewal Unit : Years, and Time Required for Delivery :. The 'PROCUREMENT DESCRIPTION AND EXECUTIVE SUMMARY' section contains the text: 'Describe need for the procurement and exact services to be procured in light of agency's programmatic responsibilities. Describe life cycle costing, value analysis or other technique used, if any. Please provide information related to the intended solicitation methods \*'. Below this text is a text box containing: 'Agreement with Asphalt Green Inc. ("Asphalt Green") to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a three (3) year term, pursuant to License Agreement.' The 'VENDOR LIST TYPE' section is currently empty.

# Sole Source – Sourcing – Pre-Solicitation Review - Financials

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review

Save Save and Close

Status: Approved  
Version: Original Submission

Summary **Financials** Contracting Out for Technical Consulting, Personal Services Labor Considerations M/WBE Considerations Source Selection Method Environmental Considerations

Setup Project  
Setup Team  
Setup Documents  
**Pre-Solicitation Review**

BUDGET INFORMATION

Show Required Only:   
Filled In:  Percentage  Amount

Amount still unallocated: 0.00 USD

Percentage	Amount	Type	Budget FY	Fiscal Year	FN Dept Code	Ref Accounting Line	Fund	Sub-Fund	Department Code	Appropriation Unit	Budget Code
100.00	5,000,000.00	Capital	9999	9999	DEPARTMENT OF PARKS AND RECREATION				DEPARTMENT OF PARKS AND RECREATION		

1 Result(s)

FUNDING SOURCES

Source	Expense	Capital
Federal		
State		
City		
Other		
Total		100.00%

5 Result(s)

# Sole Source – Sourcing – Pre-Solicitation Review – Contracting Out for Technical Consulting, Personal Services

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review

Save Save and Close

Status: Approved  
Version: Original Submission

Summary Financials **Contracting Out for Technical Consulting, Personal Services** Labor Considerations M/WBE Considerations Source Selection Method Environmental Considerations


Setup Project  
Setup Team  
Setup Documents  
**Pre-Solicitation Review**

CONTRACTING OUT FOR TECHNICAL CONSULTING/PERSONAL SERVICE

Select all applicable responses.  
 N/A (Contracts ≤ \$100,000 and/or not for such services )  
Basis for Contracting Out :

DISPLACEMENT OF CITY EMPLOYEES

Select one  
 The ACCO certifies that the contract will not result in displacement of City employees within this Agency, pursuant to Charter § 312(a)  
 The ACCO has determined that the contract will result in displacement of City employees within this Agency and has completed required pre-solicitation cost benefit analysis, and certifies that the Agency will comply with requirements of § 312(a), and if applicable, § 11 of Municipal Coalition Agreement.  
Please Upload Displacement Determination Form and/or OMB/OLR approval.

 [Displacement Determination Form \(LL63\)](#)

# Sole Source – Sourcing – Pre-Solicitation Review – Labor Considerations

The screenshot displays the PASSPort web application interface. At the top, a navigation bar includes the 'PASSPort' logo and menu items: Vendors, Catalog, Requisition, Sourcing (highlighted with a red box), Contracts, Ordering, Receiving, Financials, Reporting, and Support. Below the navigation bar, the breadcrumb trail shows '84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review'. Action buttons for 'Save' and 'Save and Close' are visible. On the left, a sidebar menu contains 'Setup Project', 'Setup Team', 'Setup Documents', and 'Pre-Solicitation Review' (highlighted with a red box). The main content area shows the project status as 'Approved' and version as 'Original Submission'. A secondary navigation bar includes 'Summary', 'Financials', 'Contracting Out for Technical Consulting, Personal Services', 'Labor Considerations' (highlighted with a red box), 'M/WBE Considerations', 'Source Selection Method', and 'Environmental Considerations'. The 'LABOR CONSIDERATIONS' section is expanded, displaying a list of questions with radio button options for 'Yes' and 'No'. The questions and their selected answers are:

- Does this contract require bid security (e.g., bid bond or bid deposit) ? \*  
 Yes  
 No
- Does this contract require payment and performance bonds ? \*  
 Yes  
 No
- Does NYC Admin Code 6-109 Living Wage apply ? \*  
 Yes  
 No
- Does NYS Article 9 Prevailing Wage apply (i.e., Is the principal purpose of the contract to provide building services) ? \*  
 Yes  
 No
- Does NYS Article 8 Prevailing Wage or Davis Bacon Wages apply (i.e., Is it a public works project) ? \*  
 Yes  
 No
- Is this contract subject to a Project Labor Agreement ? \*  
 Yes  
 No
- Is this contract subject to the Apprenticeship Directive ? \*  
 Yes  
 No

# Sole Source – Sourcing – Pre-Solicitation Review – Sole Source Method

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review

Save Save and Close

Status: Approved  
Version: Original Submission

Summary Financials Contracting Out for Technical Consulting, Personal Services Labor Considerations M/WBE Considerations **Source Selection Method** Environmental Considerations

Setup Project  
Setup Team  
Setup Documents  
**Pre-Solicitation Review**

**SOURCE SELECTION METHOD**

Level of Competition: It is anticipated that the level of competition will be: \*

High  
 Moderate  
 Low

Please complete items below.

**SPECIAL CASE DETERMINATION**

Complete all applicable Special Case Determination fields.

The Agency has determined that it is in the best interest of the City to utilize the method of source selection, for which a special case determination(s) is/are required because:  
Pursuant to PPB Rule § 3-01 (d) (2) (Special Case Circumstances), the ACCO has determined that it is not practicable or advantageous to the City to use Competitive Sealed Bidding because:  
Explain in detail the determination selected above; attach additional sheets as necessary.\*

see attached

[AG Sole Source Memo 8-18-2022.pdf](#)

Agency has determined that future competition can be developed \*

Yes  
 No

Advance public Notice of Intent to Enter into Sole Source Negotiations was published in the city record from\*:  
09/08/2022

Number of Expressions of Interest were received : \*  
2

Pursuant to PPB Rule § 3-01 (d) (3) and (4), the ACCO has determined that the procurement method selected is the most competitive alternate source selection method listed in § 3-01 (d) (1) which is appropriate under the circumstances, and is practicable and advantageous to the City, because:

Competitive sealed bidding is not practicable or advantageous.  
 Neither competitive sealed bidding nor competitive sealed proposals are practicable or advantageous.  
 Other

The sole source method is the most competitive method that is appropriate under the circumstances since there is only one source available.\*

# Sole Source – Sourcing – Pre-Solicitation Review – Environmental Considerations

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

< ↻ ☆ 84623S0004-Capital Construction Work at Asphalt Green Facility - Pre-Solicitation Review

Save Save and Close

Setup Project Status: Approved  
Version: Original Submission

Setup Team  
Setup Documents

Summary Financials Contracting Out for Technical Consulting, Personal Services Labor Considerations M/WBE Considerations Source Selection Method **Environmental Considerations**

**Pre-Solicitation Review**

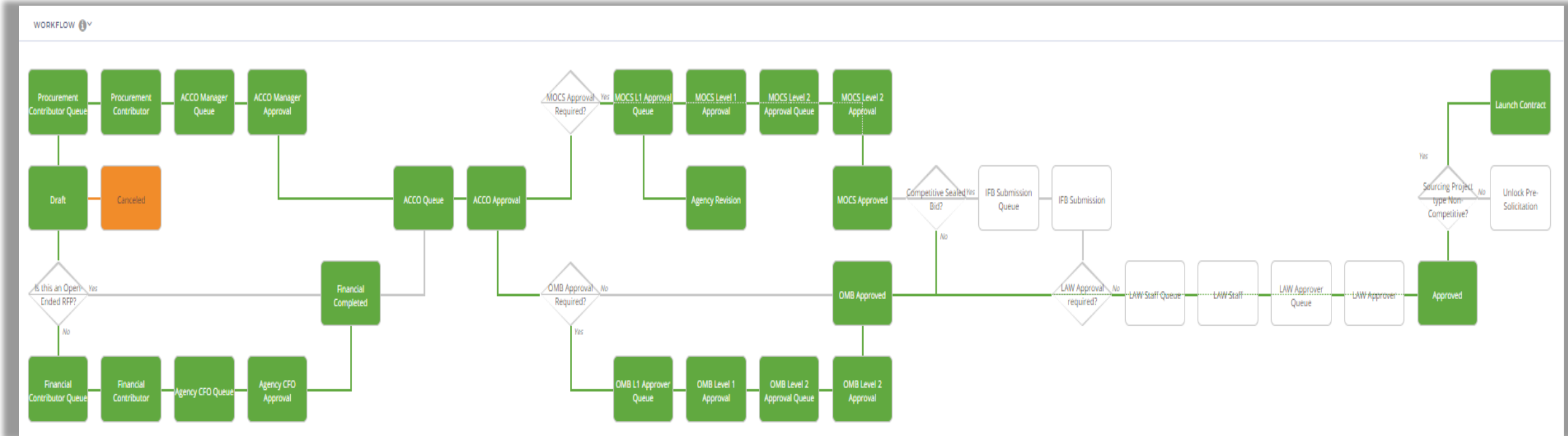
ENVIRONMENTALLY PREFERABLE PURCHASING (EPP)▼

Are there EPP Products included in this solicitation? \*

No

# Sole Source – After the Requisition, but before the Contract

- Agency will submit and wait for all oversight Approvals



- Contract can only be created after all oversight approvals are applied

# Sole Source – Sourcing – Setup Project – Create Contract

**PASSPort** Vendors Catalog Requisition **Sourcing** Contracts Ordering Receiving Financials Reporting Support

< ⌘ ☆ 8462350004-Capital Construction Work at Asphalt Green Facility - Setup Project

Save Save and Close

**Setup Project**

- Setup learn
- Setup Documents
- Pre-Solicitation Review

**GENERAL INFORMATION**

Sourcing Project Status: Selections Made  
Procurement Method: Sole Source  
Sourcing Project Type: Non Competitive Sourcing Project  
Sourcing EPIN: 8462350004  
Procurement Title: 8462350004-Capital Construction Work at Asphalt Green Facility  
Procurement Label: Capital Construction Work at Asphalt Green Facility  
Requesting Agency: DEPARTMENT OF PARKS AND RECREATION  
Soliciting Agency: DEPARTMENT OF PARKS AND RECREATION  
Division: CAPITAL PROGRAM MANAGEMENT  
Program: 846 25 - Capital Manhattan - Construction  
Industry: Construction  
Main commodity: 110 - General Contractor/Construction Services  
Other commodities:  
Anticipated Contract Start date \*: 11/15/2022  
Anticipated Contract End date \*: 11/15/2025  
Consecutive Contract Duration: 1096  
Total Estimated Procurement Value \$: 5,000,000.00  
Anticipated Number of Awards: 1  
FMS Contract Type: Master Services Agreements (MMA1)  
Funding Type:  
Vendor: ASPHALT GREEN, INC. 136533158  
Link to RFI: 84623Y0234-Capital Construction Work at Asphalt Green Facility  
Link to Concept Report:  
Link to Requisition:  
[REQ491339-Capital Construction Work at Asphalt Green Facility](#) Link to Contracts:  
Capital Construction Work at Asphalt Green Facility  
1 Result(s)

Accelerated Procurement:   
HHS Accelerator Procurement:   
Confidential Procurement:   
This is an Open-Ended RFP:   
Community Board District: Manhattan Community Board 8  
[Look up your Community district here.](#)

**TRACKING**

**CROL RESPONSE**

**CONTRACT DETAILS**

Award Amount	Contract
5,000,000.00	8462350004001-Capital Construction Work at Asphalt Green Facility

# Sole Source – Contract

**PASSPort** Vendors Catalog Requisition Sourcing **Contracts** Ordering Receiving Financials Reporting Support

Contract: MMA1-846-20238808109 - Capital Construction Work at Asphalt Green Facility - (Active) Search ...

- Overview
- Header**
- Sites
- Setup Team
- Contract Management Actions
- Subcontractors
- Documents
- LL34 Compliance
- Award Details
- Public Hearing
- Responsibility Determination
- Financials
- Registration Package
- Workflow
- Performance
- Change Log

**CONTRACT HEADER**

FMS Contract Type\*: Master Services Agreements (MMA1) Contract Status: Registered  
OCA Number: 1014263782  
Contract ID: MMA1-846-20238808109  
Source: PASSPort  
Procurement Method: Sole Source  
Accelerated Procurement:   
Contract EPIN: 8462350004001  
Vendor: ASPHALT GREEN, INC. 136533158  
Incumbent:   
Doing Business As: Same as above  
Vendor Filing Status: Filled  
Reference: Irina.Gelman@parks.nyc.gov  
Contracting Agency: DEPARTMENT OF PARKS AND RECREATION  
Division\*: CAPITAL PROGRAM MANAGEMENT  
Industry: Construction  
Program\*: 846\_25 - Capital Manhattan - Construction  
Commodities: 90917 - Athletic Facility Maintenance and Repair  
110 - General Contractor/Construction Services  
Award Level: 1 - Single bid  
Award Method Code\*: 05 - SOLE SOURCE Contract Category\*: 017 - M & O-INFRAS-T-PARKS & RECREATIONAL FAC.  
Contract Class\*: C - CAPITAL  
Contract Type Code\*: 05 - CONSTRUCTION  
Title: Capital Construction Work at Asphalt Green Facility  
Start Date: 06/12/2023  
End Date: 06/11/2026  
Original Contract Amount: \$ 5,000,000.00  
Final Contract Amount: \$ 5,000,000.00  
Organizational Scope\*: DEPARTMENT OF PARKS AND RECREATION  
Send Organization 'All' to FMS:   
Renewal Options\*: Yes  
Number of Renewals: 1  
Renewal Period: 2  
Renewal Unit: Years  
Funding Type: Capital/Mixed  
Capital Commitment Plan ID: NA  
Contract Registration Date: 06/02/2023  
BQA Contract:

**CONTRACT DESCRIPTION**

Contract Purpose:  
Capital Construction Work at Asphalt Green Facility  
Contract Description:  
Agreement with Asphalt Green Inc. to undertake certain capital reconstruction work on the Asphalt Green facility in Manhattan for a three (3) year term, pur

# Sole Source – Contract

- The contract Stage for Sole Source Procurements is the same as all other Contract Phases.
- Please be sure to complete a Public Hearing should your contract go over \$100,000.00.



# Links to Resources

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[MOCS Service Desk](#)

[Sole Source Information on BuyWise](#)

[Procurement Training on BuyWise](#)

[Learning to Use PASSPort on MOCS website](#)

**Thank you for your time!**

