

RESOLUTION: To find, pursuant to Section 17-88(a) of the Rockville City Code, that a unique or unusual circumstance exists in the procurement for construction services for Phase 1B of the City's 6 Taft Court Renovations Project that makes competitive procurement contrary to the City's interest

WHEREAS, Rockville City Code Section 17-88(a) permits the Awarding Authority to authorize non-competitive procurement methods upon a written determination that a unique or unusual circumstance exists that makes competitive procurement contrary to the City's interest; and

WHEREAS, in accordance with Rockville City Code Section 17-39(a), the Mayor and Council of Rockville (the "Mayor and Council") is the Awarding Authority for contracts with a value in excess of \$100,000; and

WHEREAS, on October 3, 2022, the Mayor and Council awarded a contract to Nichols Contracting, Inc., pursuant to IFB #08-22, for the renovation of the first two floors of the north wing of the building located at 6 Taft Court, in Rockville Maryland (the "Phase 1A Work"); and

WHEREAS, after commencement of the Phase 1A Work, the Mayor and Council determined that it was in its best interests to pursue the renovation of the third floor of the north wing of the building located at 6 Taft Court (the "Phase 1B Work") at a cost of greater than \$100,000.00; and

WHEREAS, as described in the staff report presented to the Mayor and Council on June 10, 2024, the City Manager has determined that unique or unusual circumstances exist that would make competitive procurement for the Phase 1B Work contrary to the City's best interests and that supports the award of the Phase 1B Work to Nichols Contracting, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, that for the reasons provided by the City Manager in the staff report presented to the Mayor and Council at its duly noticed meeting on June 10, 2024, the Mayor and Council finds that unique or unusual circumstances exist that make competitive procurement for the Phase 1B Work contrary to the City's best interest and that supports the award of the Phase 1B Work to Nichols Contracting, Inc.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council at its meeting of June 10, 2024.



Sara Taylor-Ferrell, City Clerk/Director of
Council Operations