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| **REQUEST FOR NON-COMPETITIVE PROCUREMENT OF PROFESSIONAL SERVICES** | | | |  | |
| Flexible Facilities Program (FFP) grantees (local and tribal governments) and their subrecipient(s) (if applicable) are subject to the procurement requirements of [2 CFR 200.320](https://www.ecfr.gov/current/title-2/section-200.320) and the grantee’s local policies. If a grantee seeks to use Flexible Facilities Program (FFP) grant funds to pay for professional services costs for their project, which were procured previously through a non-competitive process or the grantee seeks to currently procure through a non-competitive process, they must request and receive approval from the Division of Energy, Housing and Community Resources (DEHCR) for the cost to be eligible. To make a request, complete this form and submit it to the assigned DEHCR project representative for a determination. Submit one (1) request form for each professional services contract for which FFP funds may be used to cover all or a portion of the cost. | | | |  | |
| GRANTEE: |  | Grant Agreement #: |  | |  | |

1. PROFESSIONAL SERVICES TYPE(S): *(check all services included under the contract)*

Architectural Services  Legal

Engineering Services  Environmental

Grant Administration Services  Acquisition and/or Relocation

Other (please specify):

1. LOCAL POLICY/LAW COMPLIANCE:

Did the grantee (local/tribal government) and/or subrecipient (if applicable) comply with their local procurement policies and laws in securing the professional service?

Yes  No

If No, please explain any actions taken by the grantee and/or subrecipient (if applicable) to approve the procurement prior to proceeding with the procurement or executing the contract.

1. JUSTIFICATION:

Identify which of the criteria listed in [2 CFR 200.320(c)](https://www.ecfr.gov/current/title-2/part-200/section-200.320#p-200.320(c)) are met, as required for any consideration of non-competitive procurement (***at least one of the following must be demonstrated***):

(1) The professional service(s) contract/cost will be/is an aggregate dollar amount which does not exceed the micro-purchase threshold of $10,000.   
*Note: If the professional services contract qualifies as a micro-purchase (not exceeding $10,000) and the grantee complied with their local procurement policies, the grantee does not need to request an exception for non-competitive procurement from DEHCR, given the regulations already provide such provision for micro-purchases.*

Estimate Total Service(s) Cost/Contract Amount: $

(2) The professional service(s) is available only from a single source.

Please explain efforts made to identify and solicit proposals/bids/quotes from potential other sources and the results. Attach documentation verifying solicitation efforts, as applicable.

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation *[Note: Being a FFP project does* ***not*** *justify public exigency or emergency. The grantee must provide additional supporting information below, which sufficiently verifies and justifies the urgency and how competitive procurement would prevent or hinder the grantee from meeting critical public needs and completing the FFP project in a timely manner.]*

Please provide supporting information that explains the urgency of the need and how competitive procurement would prevent the grantee’s ability to complete the FFP project in a timely manner to meet the need in a timely manner.

(4) After efforts to solicit bids/quotes/proposals from an adequate number of sources, competition is determined inadequate.

Please check the type(s) of solicitation effort(s) made and date of the request or solicitation release.

(a) Request for Proposals (RFP) Date(s) Released:

(b) Request for Qualifications (RFQ) Date(s) Released:

(c) Request for Bids (RFB)/Competitive Bids: Date(s) Released:

(d) Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity

Please provide the name of the entity that authorized the noncompetitive procurement, the authorization date, and the scope of services to which the contract was secured. *[Note: This provision does not apply for expired contracts or existing contracts that are not executed specifically for FFP project activities.]*

(e) Quote Solicitation (Simplified Acquisition/Small Purchase)

Please list the names of companies/firms/entities solicited and the information associated with the solicitation requested in the following table:

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| **Company/Firm/Entity Name:** *(Attach additional sheet as needed)* | **Contact Information  for Method Used  (e.g., Phone Number, Email Address, Website Form Address, etc.):** | **Date(s) Requested:** | **Date(s) Responded  (if responded):** | **Reason for No Quote  (if known):** |
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| ***GRANTEE CERTIFICATION:***  *The Grantee Authorized Representative listed below certifies that, to the best of their knowledge, the information provided in this form is true, complete, and correct, and acknowledges that contracts or services that are not competitively procured in accordance with the FFP requirements and 2 CFR 200.320 are not eligible to be paid with FFP funds, unless authorized and approved by DEHCR.* | | | | | |
| GRANTEE (LOCAL/TRIBAL GOVT.) AUTHORIZED REPRESENTATIVE FULL NAME & POSITION TITLE: | | | AUTHORIZATION DATE: | | |
| AUTHORIZED REPRESENTATIVE PHONE NUMBER: | | | AUTHORIZED REPRESENTATIVE EMAIL: | | |
| **FOR DEHCR USE ONLY:** | | | | | | |
| DETERMINATION: | | |  | | | |
| APPROVED | DENIED | | | Date: |  | |
| DEHCR Project Rep. Name: | |  | | Title: |  | |

*\*The grantee’s (local/tribal government’s) Authorized Representative, and the chief elected official [CEO] and clerk if they are not the Authorized Representative that certified this form, must be copied (in the ‘cc’) on the email submission of this form to DEHCR if another party is emailing the form to DEHCR on the grantee’s behalf.*