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**DEPARTMENT OF PERMITS, LICENSES & INSPECTIONS**

JOHN P. ROBIN CIVIC BUILDING

**To:** Department of Management and Budget, Procurement Division  
Department of Law

**From:** Department of Permits, Licenses and Inspections

**Date:** November 7, 2022

**Subject:** D'Appolonia Extension Competitive Process waiver (2022-2023)

D'Appolonia Engineering Division of Ground Technology, Inc is a professional small-business consulting firm that provides on-call emergency assessments, surveying, consultation, and expert court testimony for PLI specific landslide remediation cases. D'Appolonia has been the provider of these services on an on-call emergency basis for several years, and is involved in several current ongoing projects and court cases.

This contract provides essential functions to the Department of Permits, Licenses, and Inspections (PLI) and the public, and falls into category five (5) and ten (10) of the competitive process waiver exception of the Pittsburgh City Code, Section 161.02B:

“Contracts for which a continuation of services is desired by the using department in order to maintain the essential functions of the City as determined in writing by the Office of Management and Budget, including but not limited to contracts for maintenance of existing software or equipment.”

pending, or potential litigation, including cases in which confidentiality could be compromised by public solicitation.”

In addition to maintaining essential services and continuity with projects, PLI is requesting an extension of services given that D'Appolonia has expertise and historical knowledge of PLI's needs and, importantly, processes.

D'Appolonia currently serves as expert witness in landslide cases where the City is the defendant, and cases brought by PLI. D'Appolonia provides technical expertise for the review of construction drawings submitted by private owners for the remediation of landslide conditions. D'Appolonia provides expertise and performs necessary site and soil assessments; PLI does not have the expertise to provide these services in-house. D'Appolonia routinely meets with PLI staff to perform plan review analysis and prepare for court hearings.

PLI is also charged with performing demolitions of unsafe structures, and requires expertise from

D'Appolonia to produce required construction drawings and specialized site assessments related to necessary demolitions to ensure the safety of the public.

A switch to another provider would interrupt work associated with ongoing cases of dangerous land movement in Pittsburgh. Landslide violations and cases typically take years to close and remediate or are monitored into perpetuity. An ITQ contract format related to this work would be inappropriate, given the need for consistent knowledge from one reliable vendor who experienced and recorded site conditions over the years. Acclimating and seeking another service provider through the procurement process would be an undue hardship for the department.

Thank you for your consideration

