



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 05/17/2024

Requisition Number: 23003506 (8 characters)

Requestor Name: Michael Haas

Requestor Phone Number: (608) 266-6598

Requestor Email: mhaas@cityofmadison.com

Fund: 1250 OTHER RESTRICTED

Agency: 62 COMMUNITY DEVELOPMENT

- Major:
- 53*** Supplies/Goods
 - 541** Utilities
 - 542** Building/Facility Maintenance/Repair
 - 543** Software/Equipment Maintenance/Repair
 - 544** Public Works Maintenance/Repair
 - 545** Training/HR-Related Services
 - 546** Consulting/Professional Services
 - 548** Grants/Loans/Insurance/Other Services

Total Purchase Amount: \$75,000.00

Vendor Name: Foley & Lardner

Product/Service Description: Outside Counsel

\$50,000 and UNDER
This form will be sent to the Purchasing Supervisor for review.

OVER \$50,000
Complete this form and draft a resolution using the sample resolutions provided by the City Attorney to your Budget Analyst. **Your resolution will not be added to the Finance Committee agenda without this form.**

Check the box(es) for the exception criteria you feel are applicable:

- 1. Public exigency (emergency) will not permit the delay incident to advertising or other competitive processes.
- 2. The services or goods required are available from only one person or firm (i.e., **true** sole source).
- 3. The services are for professional services to be provided by attorneys.
- 4. The services are to be rendered by a university, college, or other educational institution.
- 5. No acceptable bids have been received after formal advertising.
- 6. Service fees are established by law or professional code.

- 7. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant.
- 8. Otherwise authorized by law, rule, resolution, or regulation. Explain:
- If procurement is being paid with Federal or State grant funds, the vendor was identified by name in the approved Grant Application. (OPTIONAL)

REASON FOR REQUEST

WHY A COMPETITIVE SELECTION PROCESS CANNOT BE USED:

Provide **detailed** explanation below. For a true sole source, provide all information to explain why this product or service can only be purchased from this vendor. For one-of-a-kind items not sold through distributors, explain the unique performance features of the product requested that are not available from any other product. For services, detail the unique qualifications this vendor possesses, or other reason(s) that meet the criteria selected above. Identify specific, measurable factors and qualifications.

Contract is for outside counsel to provide specialized legal services for nuisance actions at Tree Lane and Rethke apartments. Attorneys at Foley and Lardner have this specialized legal knowledge. This amends the original contract and Purchase Order 23003506 from \$50,000 to \$125,000. The resolution amending the contract will be introduced at the May 21, 2024 Council meeting.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has paid Foley & Lardner a total of \$361,117 since 2015. Of that, \$360,417 was non-competitively selected, and the remaining \$471 was for small purchases under the threshold requiring competitive selection.

Date:

Submit