

PURCHASING VIEW



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 06/07/2018

Requisition Number: (8 characters)

Requestor Name: Patricia Lauten, Deputy City Attorney

Requestor Phone Number: 266-4511

Requestor Email: plauten@cityofmadison.com

Fund: 1420 TAX INCREMENT DISTRICTS

Agency: 11 ATTORNEY

- 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: \$50,000.00

Vendor Name: Stroud, Willink & Howard

Product/Service Description: Legal Services

- \$25,000 and UNDER**
This form will be sent to the Purchasing Supervisor for review.
- OVER \$25,000**
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.

The Office of the City Attorney is requesting authorization to retain special outside counsel on a non-competitive bases to assist the Office of the City Attorney in representing the City's interests in Beitler Real Estate Services, LLC v. City of Madison (JDS/Block 88 Project). Construction litigation requires specialized knowledge and expertise. The City Attorney contacted two law firms to discuss representing the City. The City Attorney recommends that the City retain Stroud, Willink & Howard, LLC and Attorney H. Dale Peterson.

COMMENTS REGARDING PURCHASES OVER \$25,000

The City has not previously contracted with this firm, competitively bid or otherwise.

Date: