

PURCHASING VIEW



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 11/19/2020

Requisition Number: (8 characters)

Requestor Name: Patricia Lauten

Requestor Phone Number: (414) 801-1109

Requestor Email: plauten@cityofmadiosn

Fund: 1100 GENERAL

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: \$75,997.83

Vendor Name: West Publishing Corporation

Product/Service Description: On-line legal research 2021-2023

- \$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.

There is a Resolution in Legistar - File I.D. No. 62979 Authorizing the Mayor and City Clerk to execute a 3 year contract with West Publishing for on-line legal research. Finance is asking that a Non-Competitive Selection Request Form be attached to the Legistar file. There is no requisition in MUNIS as the monthly invoices are paid with our agency P-Card.

There are only two providers of legal research services – Westlaw and Lexis. Over the years, the Office of the City Attorney has used both providers. For the 2018 contract period and now for the 2021 contract period, Lexis chose not to provide the OCA with a competitive bid. Lexis' lack of interest, coupled with our office's preference for the Westlaw product, resulted in Westlaw's selection without a competitive bid process.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has spent \$240,000 with West Publishing since 2015. The City Attorney's Office and Madison Police Department both of monthly subscriptions, which have been approved for non-competitive selection by the Common Council in past years.

Date: