



C4220.1F Rev. 4 Chapter VI.3.i.(1)(b) Defines aa sole source as:

A. When required supplies or services are available from only one responsible source, and no other supplies or services will satisfy its requirements.

B. When an existing contractor makes a change(s) to its contract that is beyond the scope of the original contract.

This justification form MUST be completed, signed, and returned to Procurement with all documentation prior to any purchase being made.

This form may not be attached to invoices for goods or services purchased prior to approval.

Are FTA Funds being used? ☒ No ☐ Yes – If yes, please call Procurement before completing form.

Proposed vendor name and address:

Summit Law Group, LLC,
315 Fifth Avenue, South 1000
Seattle, WA 98104

Estimated cost of goods or services:

\$ 124,000 / 6 year

☐ Attach Independent Cost Estimate

Check all that apply & provide documentation

This is a sole source because

- ☐ **One-of-a-kind** – there are no alternatives available on the market with the **same** or **similar** characteristics that WTA has a documented requirement for.
- ☐ **Patent or Copyright** – vendor has obtained a patent, data rights, or copyright for the good or service required.
- ☐ **Substantial Duplication Costs** – award to another vendor will result in costs that will not be recovered through competition. –
- ☐ **Unacceptable Delay or Declared Emergency** – Award to another contractor would result in an unacceptable delay to a project or an emergency has been declared. Failure to plan a purchase appropriately is not justification.
- ☒ **Single Bid or Proposal Received**

Describe the specific, necessary features that this product or vendor provides.

Attorney or law firm with expertise in employment/labor matters. The assigned attorney would assist WTA with collective bargaining negotiations and general employment law issues.

The firm and individuals assigned to work with WTA shall be well versed in relevant aspects of public transit operations.

Each attorney in the proposed team must possess a Juris Doctorate (JD) degree and have graduated from a law school accredited by the American Bar Association.

The lead attorney must have a minimum of seven (7) years' representing public entities with at least five (5) years in labor negotiations.

Each attorney in the proposed team will be a licensed member in good standing of the Washington State Bar Association (WSBA).

**How was availability determined?
List possible alternative sources.
What compatible parts or equipment are available. If there**

Ad placed in Bellingham Herald, posted on ridewta.com, OWMBE, and PTAC website, solicited vendors from previous RFP, posted on WEBS which notified 80 registered firms.



Whatcom
Transportation
Authority

Sole Source Justification

SS# _____

Form #SETU04 v.b

Procurement & Contracts

are none, provide detailed information on the measures used in your determination?	A total of 35 firms were in possession of the RFP on the close of the solicitation. WTA also extended the deadline a week. One other firm proposed, but was found to be non-responsive. Two emails were sent to them notifying them of the missing requirements and providing them time to become responsive, however, no response was received within the timeframe given.
Who prepared the specification or statement of work? Did a vendor or contractor assist? If so, provide their information.	WTA prepared
Is this a one-time Procurement? <input type="checkbox"/> No* <input checked="" type="checkbox"/> Yes	*If on-going sole source procurement is <u>required</u> , attach an estimate that shows total annualized expenditure (for each year).

FAIR AND REASONABLE PRICE DETERMINATION

Check all that apply and attach back-up documentation

- ☒ Comparison of the proposed price to previously paid prices for the same or similar goods or services. See PO #Please see ICE attached. Specify price: _____
- ☐ Comparison of the proposed price to current published catalog, price lists, prices given to agencies of similar size with similar requirements, or market prices and the proposed price is similar or less.
- ☐ Comparison of the proposed price to documented yardsticks (such as dollars per pound or per horsepower, or other units of measure) and no significant inconsistencies that warrant additional pricing inquiry were found.
- ☐ The price is set by law or regulations.
- ☐ Pricing research of the good or service purchased by other agencies.
- ☒ Other: Current Municipal Counsel contract is for \$200 per hour for principal. His normal hourly cost is \$295 per hour. Price proposed for principal with Smmit is \$315 per hour. Price adjustment language is written into the forthcoming contract to allow for rate adjustments of a specific amount.

STATEMENT OF NEED AND CERTIFICATION:

My department's sole source recommendation is based on a complete review of the good/service required and is in the best interest of WTA. No conflict of interest on my part or personal involvement in any way exists with this request. No real or perceived gratuities, favors, or actions have taken place between me, my department, or the vendor. Personal familiarity or preference with particular brands, equipment, materials, or firms influence this request. I certify that this justification is accurate and complete to the best of my knowledge.

 _____
Signature (Requestor) Date 8-7-19

Printed Name: Andy Rowison

Title: Human Resources Director

First Approval:

PROCUREMENT

Based upon the above, I endorse this acquisition.

 _____
8-8-19




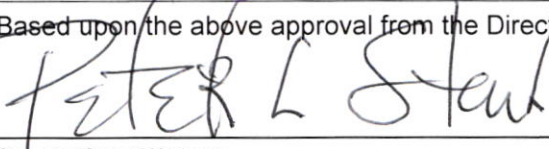
Whatcom
Transportation
Authority

Sole Source Justification

SS# _____

Form #SETU04 v.b

Procurement & Contracts

Signature (Purchasing and Contracts Coordinator)		Date	
Second Approval:		DIRECTOR OF FINANCE	
Based upon the above endorsement from Procurement, I authorize this acquisition.			
		8/7/19	
Signature (Director of Finance)		Date	
Third Approval:		GENERAL MANAGER	
Based upon the above approval from the Director of Finance, I authorize this acquisition.			
		8/9/19	
Signature (General Manager)		Date	

MEMO

TO: Shonda Shipman, Finance Director

FROM: Magan Waltari, Procurement & Grants Coordinator

CC: Pete Stark, General Manager
Procurement File



DATE: June 11, 2019

SUBJECT: Brownlie, Wolf & Lee, LLC Pricing and Responsibility Determination for RFP 2019-202, Municipal Legal Services

COPY

The price proposed by Brownlie, Wolf, & Lee (Mark Lee) to provide on-call municipal legal services has been found to be fair and reasonable. Mark Lee was our only bidder out of 26 known plan holders and is our current provider of these services.

I reviewed the proposed hourly rate against what WTA currently pays, the CPI for other personal services, and the hourly rate Skagit Transit pays. While there is an increase in Mark Lee's proposed rate, it is in line with the upward trend of the CPI. In discussion with Mark regarding the increase in rates, he mentioned his regular rate is \$295 per hour. Similarly in discussion with Mark, he is lowering the rate for his Paralegal from \$120 to \$95 per hour to be more on par with our current rate of \$85

Mark Lee and Brownlie, Wolf & Lee have been screened for responsibly and has met all of the requirements. There is a SAM.gov registration that is pending. I will continue to check the website.