

## Draft Findings Regarding Exemption from Competition for a Contract to Construct Aquifer Storage and Recovery System

City Staff recommends that the Council make the following findings as their basis for approval if they approve exempting the contract for the construction and installation of an aquifer storage and recovery system, a 3,000 gpm well, installation of new wells for the City, and certain infrastructure improvements to the City's Water and Wastewater Systems and directly contracting with Taylor Northwest, LLC (Taylor NW) utilizing a Progressive Design Build project delivery method:

1. The nature of the contract for which the exemption is requested:
  - Contract for the constructions of an aquifer storage and recovery system, a 3,000 gpm well, installation of new wells for the City, and certain infrastructure improvements to the City's Water and Wastewater Systems.
2. The estimated contract price is \$12,727,379.90.
3. Findings to support the substantial costs savings, enhancement in quality or performance, or other public benefit anticipated by the exemption from competitive solicitation:
  - The quality of Taylor NW's previous work product has been excellent. They have completed their work in a timely manner and at a reasonable cost to the City.
  - Taylor NW is in good standing with regulatory agencies which should make it easier to complete the project without delays.
  - Since Taylor NW has been involved in the construction of the Airport Industrial Park Extensions Project from the beginning, they will not need to review or "catch up," but can immediately begin the construction and installation of the improvements without trying to understand what a previous contractor has done on the project.
  - The City Engineer has estimated it would take approximately three months to prepare the scope of work and other documents necessary to issue an invitation to bid, allow other contractors to study prior work on the Airport Industrial Park Extension Project and to prepare their bid, and to select the lowest bidder.
  - Additional costs to the City for preparing the documents to issue an invitation of bid would be eliminated.
  - Taylor NW has equipment and personnel on site and therefore there would be limited mobilization costs and delays if Taylor NW constructs and installs the additional improvements.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the solicitation requirements that would otherwise be applicable:

- In additions to findings in Section 3 above, Taylor NW was initially selected through a formal invitation to bid process for a Design-Build method regarding the Airport Industrial Park Utility Extensions Project.

5. A description of the proposed alternative contracting methods to be employed:

- Directly contracting with Taylor NW to construct and install an aquifer storage and recovery system, a 3,000 gpm well, installation of new wells for the City, and certain infrastructure improvements to the City's Water and Wastewater Systems.

6. The estimated date by which it would be necessary to let the contract is September 17, 2018.