

DAGGETT COUNTY

NOTICE OF PROPOSED SOLE SOURCE PROCUREMENT

THIS IS NOT AN INVITATION FOR QUOTES, COMPETITIVE BIDS OR PROPOSALS

The Utah Code and the Procurement Policy of Daggett County (“County”) provide that sole source procurements may be used under limited circumstances such as: (a) there is only one source for the procurement item; (b) transitional costs are a significant consideration and a cost-benefit analysis demonstrates that the award to a sole source is in the best interest of the County; or (c) circumstances render a standard procurement process impractical and not in the best interest of the County.

The Procurement Officer of the County has received a request to make the following sole source procurement and gives public notice of the same. The purpose of this notice is to provide public notice as required by law and to determine whether there are other interested and qualified vendors that meet the requirements of the County for the proposed sole source procurement.

Product and/or Service To Be Purchased: The pursuing and leasing of water rights owned by the County, including negotiating the terms of any potential lease under the direction of the Daggett County Board of Commissioners and any other services related to the procurement of a lease contract(s) for the water rights held by Daggett County.

Contract Duration: The contract shall be entered into in October, 2019, and shall remain in force until terminated by either party or until a lease has been signed for all available water.

Proposed Sole Source Supplier: The law firm of Smith Hartvigsen, PLLC

Estimated Total: Five percent (5%) of the total lease amount, plus incidental costs.

Sole Source Justification: For the following reasons, the County has determined this purchase will utilize the sole source procedures authorized by the Utah Procurement Code:

- The County has previously utilized the services of Smith Hartvigsen for change applications, proof of use, and other applications or communications with the Utah Division of Water Rights related to the water rights it owns.
- Smith Hartvigsen has a specific knowledge of the history of the water rights, as well as the unique federal requirements attached to them.

- Due to their prior knowledge and services provided related to the water rights, Smith Hartvigsen has the ability to begin work immediately without the need for research or extra time to become familiar with the unique situation of Daggett County in relation to the water rights it owns.
- Due to the nature of the procurement, transitional costs are a significant consideration in selecting a service provider, and the expense of selecting a different provider could become unreasonable or cost prohibitive. Consequently, an award of a contract without engaging in a standard procurement process is in the best interest of the County.

Dates and Deadlines: The following dates and deadlines shall be followed by the County and by any person responding to this Notice:

Notice Start Date: September 27, 2019

Notice End Date: October 15, 2019

Deadline for Comments and Contests: October 15, 2019 at 5:00 p.m.

Earliest Date for Execution of Agreement: October 16, 2019

Action to be Taken: No action is required if you agree this proposed purchase is a valid sole source procurement. If you wish to comment or request additional information, or if you wish to contest this proposed sole source procurement, you are required to deliver your written comments, requests or contests to: , as follows:

By Hand Delivery or Mail:

Randy Asay
Daggett County Courthouse
PO Box 400
95 North 1st West
Manila, UT 84046
United States

By E-mail: rasay@daggettcountry.org

Comments, requests for information and/or contests to this procurement shall be received by the County on or before the date and time identified as the “Deadline for Comments and Contests” listed above. *Failure to contest this proposed sole source procurement on or before this deadline will preclude any challenge to this proposed procurement.*

Instructions for Contests: If you contest this procurement, you are required to submit the following information: (a) your name and contact information, to include a mailing address and e-mail address; and (b) a detailed explanation of the reasons you contest the proposed sole source procurement, including a documentation showing that there are other competing sources for the services required

by the County. The detailed explanation may also provide written documentation that the alternative service provider(s) meet or exceed the needs of the County, that an alternative service provider(s) would result in savings that exceed the value of the proposed service provider, and any other information that is relevant to this matter.

Matters not addressed in writing in a contest to this procurement will not be considered by the County, and will not be considered in any appeal.

All comments will be evaluated before further action is taken on this proposed procurement. All contests will be duly investigated to determine the validity of the contest and a determination will be made in open meeting either supporting or denying the challenge.

Inasmuch as this is a notice of a sole source procurement, quotes, bids or proposals will not be considered by the County.

A copy of information related to this sole source procurement will be made available for public inspection, upon request, at the main office of the County at 95 North 1st West, Manila, UT 84046.