

## Draft Findings Regarding Exemption from Competition for a Contract to Replacement and Installation of City Wells

City Staff recommends that the City Council make the following findings as their basis for approval, if they approve, exempting the contract for the replacement and installation of City Wells and directly contracting with Sky's the Limit for the 4 of US, Inc., dba Abbas Well Drilling ("Abbas").

1. The nature of the contract for which the exemption is requested:
  - Public Improvement Contract.
2. The estimated contract price is \$575,000.00.
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 Abbas's previous work product has been excellent. They have completed their work in a timely manner and at a reasonable cost to the City.
  - Abbas is in good standing with regulatory agencies which should make it easier to complete the project without delays.
  - Abbas was selected by the City pursuant to a Request for Proposals issued July 12, 2022 for the routine well and booster pump maintenance and repair services.
  - The City Engineer has estimated it would take approximately two months to prepare the scope of work and other documents necessary to issue an invitation to bid, allow other contractors 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.
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 addition to findings in Section 3 above, Abbas was previously selected for well and booster pump maintenance and repair services; however, that agreement is for annual services in the amount not to exceed \$150,000.00.
5. A description of the proposed alternative contracting methods to be employed:

- Directly contracting with Abbas for the replacement and installation of City Wells.

6. The estimated date by which it would be necessary to let the contract is December 31, 2022.