Memorandum

TO: Leigh Griffing, Procurement Officer
FROM: Monte Sipe, Construction Projects Manager
SUBJECT: Sole Source Vendor Designation
DATE: February 11, 2020

Development Services, Engineering Division is requesting permission to designate Triple Tree Engineering the sole source vendor for a Quiet Zone and Traffic Study. Under the City’s purchasing rules, a sole source determination can be made under limited circumstances. Below is the excerpt from the purchasing policy and the italicized comments explaining how Triple Tree Engineering meets the criteria:

**Sole source purchases.** Under some limited circumstances, a department may need to consider making a sole source purchase for a supply or service available from only one known vendor. Because this purchase occurs without benefit of competition, departments should exercise great reluctance to use this procurement method.

1. Sole source procurement is permissible under the following circumstances:
   a. The compatibility of current services or equipment, accessories, or replacement parts is the paramount consideration;

   *Not applicable*

   b. There is no alternative, equivalent project to the one required;

   *Quiet Zone analysis and feasibility study is a specific specialized process that needs to meet criteria set out by the Federal Railroad Administration (FRA). It would not be efficient to hire another vendor that would have to understand the rules and procedures to develop a quiet zone prior to initiating a scope of work for the analysis and feasibility study.*

   c. There is only one acceptable or suitable source for the supply or service item;
City Public Works originally considered hiring Territorial-Landworks, Inc. to complete this study. TLi was under contract to complete design work on the East Pine St. water main project, which included improvements adjacent to the area of the proposed Quiet Zone Study (see attached location map). When TLi was approached and asked to incorporate this study into their contract they responded that they did not feel comfortable taking on this work as it necessitated specific knowledge and understanding of the requirements to establish a Quiet Zone. Public Works then contacted Montana Rail Link (MRL) regarding the Quiet Zone process. MRL told the City that the study would need to be initiated by a local governing body, and suggested we speak with the consultant that completed the study for the City of Helena. The consultant for that study was Brad Coon, now with Triple Tree Engineering. Further conversations with MRL and the City of Helena revealed that Triple Tree is the only qualified consultant capable of doing this work in the Montana area.

d. Grant terms specify the equipment to be purchased;

Not applicable

Approved:

Leigh Griffing, Procurement Officer

John Engen, Mayor

02/12/2020

Date

2/19/2020

Date