

SOLE SOURCE PURCHASE REPORT

To: Jonathan Daniels, Purchasing Officer

From: Charles Kolberg, General Counsel

Date: November 9, 2022

1. Name and address and contact information of supplier:
Dina Holcomb
Holcomb Law Office
3301 R Coors Blvd. NW #301
Albuquerque, NM 87120
2. Goods and/or services to be purchased: labor relations legal services
3. Estimated total dollar amount of expenditures pursuant to this request: \$20,000 per year
4. Term for which goods and/or services will be purchased pursuant to this request (mark only the option which applies):
 - a. _____ 4 _____ **Years**/Months/Weeks/Days (circle one)
 - b. This is a one-time sole source purchase, to be completed within the next fiscal year.
5. Identify the specific circumstances that require a sole source purchase of the goods and/or services requested:
 - a. Brief description of the purpose of the goods or services to be purchased:
This contract is for on going legal services for labor relations.
 - b. Reasons for need of goods and/or services from the specific supplier. Any one reason, by itself, does not necessarily justify a sole source purchase (mark all that apply):
 - i. A diligent inquiry failed to identify any source for the same or similar goods and/or services that will substantially accomplish the same or similar functions to those provided by the source identified above. If so, identify which of the following steps were taken to establish a good-faith review of available alternative sources and provide written justification verifying the actions below were taken (mark all that apply):
 1. Contacted various suppliers of similar goods to discuss alternative options;
 2. Performed product research for potential alternative sources;
 3. Consulted with subject matter experts to identify potential alternative sources;
 4. Other (specifically describe any actions taken, attach additional sheets if necessary):

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(Inability to locate other sources via internet search will not suffice as acceptable due diligence.)

- ii. The goods and/or services offered are unique or proprietary in form, fit, and function. If so, describe the unique or proprietary qualities of the goods and/or services; if available, provide documentation of their unique or proprietary nature, e.g. evidence of patent/copyright/secret processes/limited rights in data (attach additional sheets if necessary):

Holcomb law office has unique institutional knowledge, experience, and history of Water Authority labor relations cases and negotiations. They are the only source capable of providing the required professional services. To utilize another firm for this service would result in a waste of resources educating and preparing the new firm to perform this service.

- iii. Use of goods and/or services from sources other than an Original Equipment Manufacturer will require substantial modification to equipment or systems currently in use, resulting in substantial duplication in cost to the Water Authority that is not expected to be recovered through competition and/or unacceptable delays in fulfilling the Water Authority's requirements. If so, describe the modifications, potential costs, and/or delays associated with making substitute goods and/or services compatible with current equipment or systems (attach additional sheets if necessary):

- iv. The procurement requires a specific supplier of goods or services. If so, identify one or more of the following reasons and provide written justification verifying that the statement below is true:

1. Limited availability of goods or services;
2. Proven quality, accuracy, and/or dependability;
3. Compatibility considerations;
4. Safety considerations;
5. Warranty issues or guarantee of parts performance;
6. During the system design process, several alternatives were evaluated and the current proprietary process was selected;
7. Other (specifically describe any other reasons, attach additional sheets if necessary):

- v. The goods and/or services cannot be purchased by the Water Authority from any other supplier, e.g. the supplier has a protected territory established by the original producer of the goods or services. If so, attach written documentation from the original producer verifying the availability of sources for goods and/or services.

6. Describe the reasons the purchase is in the public's interest (attach additional sheets if necessary):

As described above, no other legal service provider has the unique knowledge necessary to assist the Water Authority is on going labor relations cases and negotiations. Services provided by another law firm would not suffice. Dina Holcomb is a solo practitioner who specializes in the representation of unionized public employers and has special expertise in negotiating collective bargaining agreements. She currently represents the Water Authority in collective bargaining and other labor and employment matters.

