



Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.
Legal services related to the Friant Ranch project and the associated Partially Revised Recirculated Environmental Impact Report.
2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.
Downey Brand, LLP a California limited liability company. Contact is Kathryn Oehlschlager, Partner: 455 Market Street, Suite 1500, San Francisco, CA 94105. Phone: (415) 848-4800 Email: koehlschlager@downeybrand.com
3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.
Contract not to exceed \$150,000 for the entire term and any renewal. The project Applicant is required to reimburse the County for all expenses on the agreement. County net cost will be \$0.
4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.
Specialized legal services from Downey Brand and Ms. Oehlschlager are highly specialized. Ms. Oehlschlager is an environmental law practitioner, who has special knowledge and skills which will assist County with respect to the Friant Ranch project.
5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.
 In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
 When the contract is with a federal, state, or local governmental agency.
 When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$5,000 whichever is more.
 When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
 When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
 When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.

6. Explain why the unique qualities and/or capabilities described above are essential to your department.
The Friant Ranch project is legally complex. The level of specialization which the County seeks is not available in the County Counsel's office.

7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

County Counsel's office reached out to three attorneys with specialized environmental practices. These included Amanda Monchamp, Esq. at Monchamp Meldrum, who was not able to accept the representation, and Andrea Matarazzo, Esq. of the Pioneer Law Group, who was willing to accept the representation.

brome 2/27/2024 4:43:14 PM

Requested By:

I approve this request to suspend competition for the service(s) and/or product(s) identified herein.

dcederborg 2/27/2024 5:08:42 PM

Department Head Signature

mvilanova 2/29/2024 1:42:49 PM

Purchasing Manager Signature

Deputy County
Counsel

Title

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