



Legislation Text

File #: ID-65-20, **Version:** 1

Department of Finance - Division of Procurement & Contracts

Reference: *A Resolution Of The City Council Of The City Of Brighton, Colorado, Acting By and Through Its Water Activity Enterprise, to find and acknowledge that good cause exists and that it is in the best interests of the City to waive the formal Request For Proposal Procedures for contract renewal with White Sands Water Engineers, Inc., for the provision of water rights-related engineering services to the City in the not-to-exceed amount of Two Hundred Fifty Thousand Dollars (\$250,000), and to authorize the City Manager to execute a Professional Services Agreement on behalf of the City*

To: **Mayor Gregory Mills and Members of City Council**

Through: **Marv Falconburg, Acting City Manager**

Prepared By: **Michael Woodruff, Director of Infrastructure**

Date Prepared: **February 6, 2020**

PURPOSE

Consider a resolution waiving the Request For Proposal (RFP) process for White Sands Water Engineers, Inc. ("White Sands"), and authorizing the renewal of a Professional Services Agreement for a term ending December 31, 2020, to provide water rights engineering and expert witness services concerning water rights-related matters, particularly as they relate to surface water matters and representation as water experts in water court proceedings.

STRATEGIC FOCUS AREAS

Supportive, Sustainable Infrastructure
Financially Responsible

BACKGROUND/HISTORY

- The Utilities Department works with White Sands on water rights procurement and protection related to surface water supplies.
- White Sands serves as water experts for Brighton in water court proceedings. In this way, lead staff at White Sands have been an integral part of Brighton's major water court cases and have provided reliable and effective expertise in procuring and protecting Brighton's water supplies for many years.
- Many of the City's obligations, in water court in particular, may not be completed by City staff. A third party must be employed to complete these tasks.
- The scope of work for 2020 includes participation in master planning and agreement negotiations, water accounting updates and management, participation in ongoing opposition cases, and participation in Brighton's new and ongoing diligence cases.
- Staff has reviewed the attached agreement and has no additional comments.

FINANCIAL IMPACT

Water engineering services are covered in the approved 2020 operating budget. No additional funds are requested at

this time. White Sands is retained on an as-needed basis only and must have direction from City staff before moving forward with any work.

STAFF RECOMMENDATION

Staff finds the terms of the agreement acceptable and competitive. Utilities staff recommends that Council waive the RFP process and approve the renewal of the White Sands contract for engineering services for water resource evaluation, water court administrative work, and surface water analysis, for a term ending December 31, 2020.

OPTIONS FOR COUNCIL CONSIDERATION

The Council may take any of the following actions:

1. Approve proposed resolution
2. Reject proposed resolution
3. Postpone consideration of proposed resolution

ATTACHMENTS

- Resolution