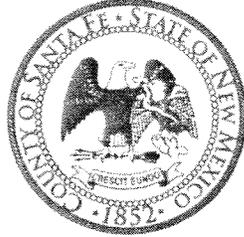


**Danny "Daniel" Mayfield**  
Commissioner, District 1

**Miguel M. Chavez**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Kathy Holian**  
Commissioner, District 4

**Liz Stefanics**  
Commissioner, District 5

**Katherine Miller**  
County Manager

January 13, 2014

TO: Procurement File

FR: Bill Taylor, Procurement Manager *BT*

RE: Sole Source Determination for Consulting Services for County Development Impact Fees

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***Issue***

Santa Fe County entered into an agreement with James C. Nicholas to provide consulting services for development impact fees on January 7th, 2010. The County subsequently adopted the Sustainable Growth Management Plan (SGMP) in November, 2010 which established the basis for Adequate Public Facilities and Financing Element of the SGMP. The consultant completed a preliminary report "Impact Fees for Santa Fe County" prior to the adoption of the SGMP.

The contract with James Nicholas expired on January 7th, 2014 with a remaining balance of \$13,325.00. However, not all of the services required under the previous contract with Mr. Nicholas were completed due to the need for the County to complete a Capital Improvements Plan (CIP) and Land Use Assumptions in accordance with the Development Fees Act.

The County has subsequently approved Ordinance 2013-6, an ordinance enacting the Sustainable Land Development Code (SLDC) which includes a section on the assessment and collection of development fees in accordance with the Development Fees Act. The County has contracted with UNM to provide Land Use Assumptions which will be used for the CIP and the Development Fees Study. The County requires the completion of the services begun by Mr. Nicholas in order to implement the SLDC.

It would be in the County's best interest to provide a sole source determination for James Nicholas since he has completed the majority of the consulting services relating to Development Impact Fees for Santa Fe County.

***Determination***

The Purchasing Department has made the determination that these Consultant services meet the Sole Source criteria pursuant to the NMSA 1978 13-1-126 that "the service, construction or item

of tangible personal property is unique and this uniqueness is substantially related to the intended purpose of the contract; and other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract.”

***Vendor Information:***

Vendor- James C. Nicolas  
126 SW 165<sup>th</sup> Street  
Newberry, FL 32669

Deliverables- Recommended methods for the calculation of impact fees for transportation, parks recreation, open space and trails, fire protection and emergency medical protection, police protection, potable water, waste water and storm water.

Amount of Purchase- \$ 13,325.00