

CITY OF CLOVIS

SOLE SOURCE DETERMINATION FORM

A sole source determination is not effective until the sole source request for determination has been posted for thirty (30) calendar days without challenge and subsequently approved, in writing, by the City of Clovis Chief Procurement Officer.

I. Name of Department : Administration
Contact Person: Justin Howalt, City Manager
Telephone No.: 575-763-9654
E-Mail Address: jhowalt@cityofclovis.org

II. Name of prospective contractor: Clovis Economic Development (CED)
Address: PO Box 930
City, State, ZIP Code Clovis, NM 88102
Telephone No.: 575-763-6600
Email Address: tina@clovisedc.com

Amount of prospective contract: \$120,000

Term of prospective contract: 4 years (1 initial with 3 renewals)

City of Clovis employees involved in determination: (other than Purchasing Agent)

Name	Phone number	E-mail Address
Justin Howalt	575-763-9650	jhowalt@cityofclovis.org
Claire Burroughes	575-763-9653	cburroughes@cityofclovis.org

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

During the term of this Agreement, CED shall support, implement and facilitate the City's Economic Development Implementation Strategies identified in Section 10 of the City of Clovis' Comprehensive Plan adopted December 13, 2018, as well as the City's Economic Development Plan prepared by Tip Strategies in November, 2022 and the Economic Development Goals, Strategies and Priorities as stated in Section 3.28.040 of the Clovis City Code.

CED shall perform those services necessary to execute the TIP Strategies Implementation Matrix, and shall be the primary entity responsible for implementing the following strategies/structures, more fully described in the Implementation Matrix:

- i. Business Retention and Expansion;*
- ii. Business Recruitment;*
- iii. Site Development;*
- iv. Cannon Air Force Base;*
- v. Entrepreneurship and Small Business;*
- vi. Talent Development;*
- vii. Veterans and Military Spouses;*

- viii. *Graduate Retention;*
- ix. *Talent Recruitment;*
- x. *Wraparound Services;*
- xi. *Storytelling;*
- xii. *Downtown;*
- xiii. *Supporting Sectors;*
- xiv. *Housing.*

CED shall also promote the economic development of the City of Clovis by providing the following services:

Maintain an economic development fact book and brochure, which will be available in both hard copy & online.

Maintain internet and web-based resources for economic development.

Develop and place industrial and economic development advertisements to promote Clovis as a business-friendly location.

Develop uniform promotional signage, in accordance with City of Clovis signage policies, approved by City Administration, for City of Clovis industrial park locations as stated in item c. below.

Participate in trade shows and conferences promoting economic development opportunities in Clovis.

Participate in New Mexico's state economic development programs to assertively promote Clovis and its industrial areas as locations for future industry and economic development.

CED shall promote existing economic development sites in the City of Clovis, to include:

240 acres of industrial park land located at County Road K. Create a brand for the Clovis Industrial Park and incorporate it into recruitment materials, signage at the Park's entry points, and way finding along Mabry Drive/US 60 and Prince Street/US 70.

633 acres of industrial park land located west of Cannon Air Force Base.

Proposed City of Clovis' Industrial Park to be located at the Clovis Municipal Airport located approximately 7 miles east of the city.

CED shall serve as the agent for the City of Clovis and provide administrative services as detailed in the City of Clovis Policies and Procedures Manual related to the processing of economic development incentive applications.

CED shall act as the City's agent for the sole and limited purpose of executing a real estate purchase option agreement or a lease option agreement for real property located in the Industrial Park. CED shall only execute a purchase option or lease option agreement with the express written permission of the City and shall not have the authority to bind the City or act as its agent in any capacity regarding the actual sale or lease of real property owned by the City.

- IV. Provide an explanation of the criteria developed and specified by the department as necessary to perform the contract and upon which the department reviewed available resources. (Please do not use "technical jargon"; use plain English. Also, please do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The City of Clovis' criteria is to seek a qualified, experienced economic development company to implement the City of Clovis' economic development plan, manage the industrial parks, work with the State of New Mexico's Economic Development Department, NM IDEA and the NM Partnership to attract new industry and retail to the Clovis area. The company needs to be invested in Clovis, supported by local businesses and existing industry who have a knowledge and understanding of the

local economic needs of the area, with the ability to work with the state, other economic development agencies to promote economic development in Clovis.

- V. A detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor the **ONLY** source capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

The prospective contractor has worked with the City of Clovis for more than 25 years in promoting economic development, including industrial and manufacturing, and retail.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are unique and how this uniqueness is substantially related to the intended purpose of the contract.

The professional service offered by Clovis Economic Development are unique to the Clovis area. The company is experienced in providing economic development services, working with the state Economic Development Department (EDD), the NM Partnership, NM IDEA in attracting new and potential manufactures and retail to the Clovis area. Each New Mexico municipality/county that has economic development funds utilizes a local economic development agency who is knowledgeable in the industrial and manufacturing needs of the community/county, to promote that area.

CED is located in the Business Enterprise Center and has run a business incubator from that location to nurture potential new business in the community. The CED is supported financially by local businesses who assist in funding the organization.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property **cannot** meet the intended purpose of the contract.

Similar professional services in the state who provide economic development services are working to bring industry/retail to their community. It is not practical to expect outside economic development providers to provide services to the City of Clovis, giving them preference in attracting industry and new retail to Clovis over the community they are already working. The state of New Mexico already provides economic development support to the City of Clovis, but they also provide services to all other municipalities in the state, free of charge.

The City of Clovis works with the Eastern Plains Council of Governments (EPCOG) who work for a 7-county region to promote those communities in many areas such as community development, capital outlay and community development block grant funding and transportation funding. EPCOG also assists in obtaining federal Economic Development Administration grants. EPCOG could not be expected to provide full time economic development services solely to the City of Clovis to promote the City's economic development needs, including industrial and retail needs as it does not meet their business model of representing all communities.

- VIII. Provide a narrative description of the procedures used by the department to justify due diligence in determining the basis for the procurement, including procedures used to conduct a review of available sources, such as researching trade publications, industry newsletters and the internet;


reviewing telephone books, and other advertisements; contacting similar service providers; and reviewing the City of Clovis vendor list.

In relation to due diligence; Administration met with the City Attorney regarding sole source procurement for an economic development contractor. Legal counsel felt this would meet the sole source criteria. There is not another entity in the community that could dedicate their work solely to the economic development needs of the City of Clovis to promote the community and its industrial and retail needs, and working with local businesses to identify future needs. There is not another entity with the knowledge base, community buy in, or experience to bring in or attract manufacturing and retail in the community.

- IX. A list of all businesses contacted (**do not state that no other businesses were contacted**), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating and explanation of why those businesses could not or would not, under any circumstances, perform the contract or provide goods; or an explanation of why the department and/or school has determined that no businesses other than the prospective contractor can perform the contract.

Please see attached email from Eastern Plains Council of Governments.

CERTIFIED BY:



Requestor

6/21/24
Date

DEPARTMENT APPROVAL



Department Director

6/21/24
Date

- 1) the signature of the Chief Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the Chief Procurement Officer; and
- 3) the signature of the Chief Procurement Officer on this form is the final signature required for this sole source procurement.

APPROVED:

Chief Procurement Officer

Date

6/21/24, 9:56 AM

City of Clovis, NM Mail - [EXTERNAL] Economic development assistance



Claire Burroughes <cburroughes@cityofclovis.org>

[EXTERNAL] Economic development assistance

1 message

Sandy Chancey <schancey@epcog.org>
To: "cburroughes@cityofclovis.org" <cburroughes@cityofclovis.org>

Thu, Jun 20, 2024 at 8:50 AM

Good morning,

Per our earlier conversation regarding the services EPCOG provides for economic development. EPCOG's mission is to promote healthy sustainable communities by providing support and technical assistance to our members, and our role in economic development is in planning and providing technical support to our local economic development organizations and those communities in our region that do not have an economic development organization. We are happy to support the Clovis Economic Development Corporation in their economic development efforts.

Sandy Chancey, Executive Director

Eastern Plains Council of Governments

418 Main

Clovis, NM 88101

Office (575) 762-7714

Cell (575) 760-9490

Email schancey@epcog.org



06/17/24

City of Clovis
321 N. Connelly Street
Clovis, NM 88101

Re: Contract Renewal for Clovis Economic Development

Attn: City Managers Mr. Howalt and Mrs. Burroughes,

I understand we are requesting a sole source contract for our renewal between the City of Clovis and Clovis Economic Development, representing the city as your designated agent for economic development. Some of the reasons we would qualify for a non-competitive contract are as follows:

- The City of Clovis has a long working history with Clovis Economic Development (CIDC).
- CED's executive board is responsible for reviewing all LEDA applications to the city, and making recommendations to the city's Economic Incentive Board.
- CED promotes and manages the city's industrial park. Our board president is an engineer with a long history and understanding of the park's development.
- Our organization has begun working on the TIP Strategies Plan that was adopted by the City of Clovis.
- As co-managers of the Business Enterprise Center, CED applied and was awarded two grants to restart the Curry County Business Incubator. One grant for \$12,500 was used for office equipment and supplies, the other grant for \$77,000 will be used for a Program Director.
- We are working with retailers on Retail LEDA applications and will be collecting and verifying all Gross Receipts Tax reports submitted by the retailers and/or developers for reimbursement.
- Last year CED became a state certified Economic Development Organization. The state Economic Development Department used the same rigorous requirements as the International Economic Development Council, and we were awarded \$40,000.
- I have been attending a variety of conferences and trade shows. We are now attending ICSC's Las Vegas events to help facilitate retail recruitment.
- Last year I represented our community as a panelist on housing at the ADC's annual Installation Innovation Forum.
- CED has a presence in all chamber committees to keep present on the issues local businesses and community members are concerned with.
- I have spent the last year building relationships within the community and have a good working relationship with the city, the county, EPCOG, SBDC, Workforce Development, local and regional legislators, and other strategic partners.



- I attend meetings with site selectors as opportunities present.
- I am a current board member for NM IDEA (International Development Executives Association)

Above are some examples illustrating reasons I believe we would qualify for a non-competitive consulting contract. Our entire CED board thanks you for your partnership and trust you've placed in us, and we look forward to continuing our working relationship with the city.

Best Regards,

A handwritten signature in black ink that reads 'Tina Dziuk'. The signature is written in a cursive style with a large, looped 'D'.

Tina Dziuk
Executive Director
Clovis Economic Development