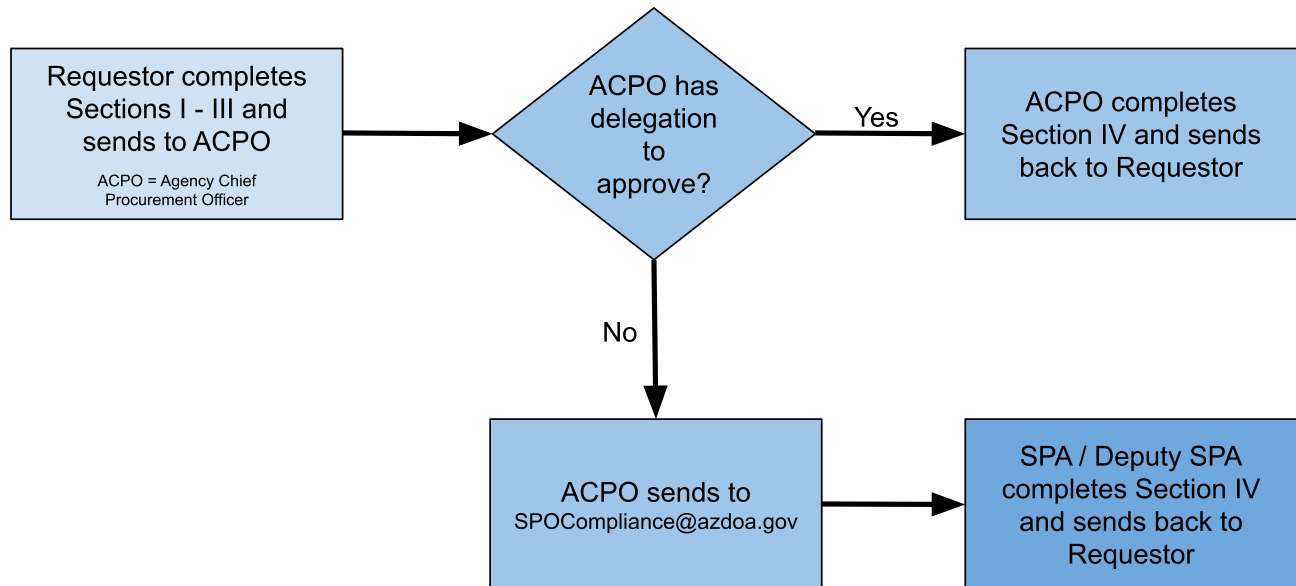


Standard Work

Owner	State Procurement Office, Compliance Unit		
Form Number	SPO Form 101 - Competition Impracticable Authorization	Version	Revised 10/17/23

Process	Standard Work/Instructions for completion and submittal of the SPO 101 form. The form is available on the SPO website: For Agencies > Resources > Standard Forms and Documents .
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Form Completion Process



No.	Action	Action Detail/Key Points
Sections I through III to be completed by the requesting State Governmental Unit:		
SECTION I - State Governmental Unit Request		
1	State Governmental Unit	Name of the requesting State Governmental Unit (SGU; agency, board, or commission)
2	Requestor	Name of the requestor
3	Email	Email of the requestor
4	Title	Job title of the requestor
5	Telephone	Telephone number of the requestor
SECTION II - Background		
6	Service(s)/Material(s)	Description of service(s)/material(s) or Contract title (eProcurement Label)
7	Supplier	Name of supplier(s)
8	Contract ID	eProcurement contract number (if available)
9	CI Type	Select applicable option:
		- Authorization Request for a new CI
		- Modification pursuant to R2-7-E303(E) for a CI modification

10	Requesting Term	Specify contract term or extension period, as applicable, based on the CI
11	Estimated Cost	Forecasted expenditures for the duration of the CI term
SECTION III - Justification		
12	Rationale	Select applicable option in accordance with A.A.C R2-7-E303(A): - Compliance with A.R.S. §§ 41-2533, 41-2534, 41-2538, or 41-2578 is impracticable - Compliance with A.R.S. §§ 41-2533, 41-2534, 41-2538, or 41-2578 is unnecessary - Compliance with A.R.S. §§ 41-2533, 41-2534, 41-2538, or 41-2578 is contrary to public interest - Documented lack of suppliers - Procurement requires an open and continuous availability of offerors
13	Provide details of the procurement need, reason for the competition impracticable, and how the proposed procurement is advantageous to the State	Detail information regarding the rationale selected in the previous section; State Governmental Unit use of the material(s) or service(s); if mandatory state contracts were explored; the limitation which led to the competition impracticable, and how the State would benefit from the procurement. If there is previous contract which requires modification pursuant to R2-7-E303(E) or contract that reached beyond the maximum 5-year term, provide the contract number and copy of that CI.
14	Describe the procurement process, strategy to promote competition, and determination that the price is fair and reasonable	Detail strategy for the proposed procurement, considered competition, reason for selecting specific supplier, and negotiations strategy.
15	I have conducted research and determined that no mandatory state contract is available for the service(s)/material(s)	Check the box confirming research was conducted. If the CI pertains to a modification pursuant to R2-7-E303(E), leave field empty.
16	If needed, I have attached additional documents/clarifications/explanations to the request	Check the box to indicate that there are additional documents attached to the request. Either as separate documents in the original email request or attached directly to the PDF submitted.
17	Signature	Signature of the authorized requestor
18	Date of Request	Specify the date of request
Section IV to be completed by the Procurement Authority:		
SECTION IV - Approval		
19	Determination	Select applicable option in accordance with A.A.C. R2-7-E303(D): - Request Authorized Pursuant to R2-7-E303 - Request Authorized with Conditions/Restrictions R2-7-E303 - Request Returned for Additional Information - Request Denied
20	Approved Expiration Date	Specify the date or term of expiration
21	Comments, conditions, or restrictions (as applicable)	Complete as needed
22	Print Name	Printed name of the approver
23	Title	Job title of the approver
24	Signature	Signature of the approving authority
25	Date of Approval	Specify the date of approval
"STATE GOVERNMENTAL UNIT NOTICE: This is an official written determination in response to a procurement authorization request. A copy of the form shall be maintained by the State Governmental Unit and the State Procurement Office. Upon completion, Requestor shall forward the signed form to the Contract Owner. Contract Owner shall upload the signed approval version of this form in the eProcurement system. If anticipated expenditure is above State Governmental Unit's delegation, forward document to SPOCompliance@azdoa.gov."		
26	Use section as necessary (or attach additional information and check box 16)	Used by any party in case the fields within the form were insufficient

Procurement Determination:
Competition Impracticable Authorization
A.A.C. R2-7-E303

SECTIONS I THROUGH III MUST BE COMPLETED BY THE REQUESTOR
USE ADDITIONAL PAGE AS NECESSARY

SECTION I - State Governmental Unit Request

1. State Governmental Unit

Arizona Department of Administration (ADOA)

2. Requestor

Kim Shelley

3. Email

kim.shelley@azdoa.gov

4. Title

Sr. Statewide Compliance Manager

5. Telephone

602-317-1448

SECTION II - Background

6. Service(s)/Material(s)

Outside Legal Counsel Services

7. Supplier

Coppersmith Brockelman PLC
IV 0000045813

8. Contract ID

CTR072505

9. CI Type

- Authorization Request for a new CI

10. Requesting Term

2 years

11. Estimated Cost

up to \$2,000,000

SECTION III - Justification

12. Rationale

- Compliance with A.R.S. §§ 41-2533, 41-2534, 41-2538, or 41-2578 is impracticable

13. Provide details of the procurement need, reason for the competition impracticable, and how the proposed procurement is advantageous to the State

Provide outside legal representation to ADOA.

The Attorney General has issued a Disqualification Notice for matters relating to State ex rel. Kris Mayes v. Arizona Department of Administration, Maricopa County Superior Court No. CV2024-016033

The Department of Administration is seeking outside legal representation with Coppersmith Brockelman to support civil action claims against the Department. Coppersmith Brockelman has an extensive history supporting unique needs of the State. The list of outside legal counsel contracts has been reviewed. None have been determined to be appropriate due to the lack of specialized expertise in the practice area, time needed to quickly familiarize itself with this matter and given the time constraint to respond, and/or conflicts that could preclude representation. Therefore, it is advantageous for the State to utilize Coppersmith Brockelman to support the ADOA.

ADOA is requesting an initial two (2) year term. If additional services are still required after two (2) years, a supplemental CI determination shall be required and the contract may be extended for an additional three (3) years, not to exceed a total term of five (5) years.

14. Describe the procurement process, strategy to promote competition, and determination that the price is fair and reasonable

All current Contractors for legal counsel have been reviewed for the needed specialize expertise in the required practice area and be able to provide immediate services.

Coppersmith Brockelman's has familiarity with the State in that they are on two ADHS contracts. General counsel reached out to Coppersmith Brockelman to find out if they could immediately provide legal representation on specific actions.

The pricing is determined to be fair and reasonable in comparison to the fees for firms on State contract and in comparison to the rates for services in the specialized field. The rates are also consistent with the rates provided to ADHS.

15. I have conducted research and determined that no mandatory state contract is available for the service(s)/material(s)



16. If needed, I have attached additional documents/clarifications/explanations to the request



17. Signature



18. Date of Request

06/21/2024

In accordance with the Procurement Rules, the Arizona Uniform Terms and Conditions must be made a part of all Contracts. If you will be required to sign a software licensing agreement or sign any other agreement containing terms and conditions, these will need additional review to ensure that the terms and conditions do not invalidate the Arizona Uniform Terms and Conditions. Approval of this request does not allow for agencies to exceed their dollar acquisition amount of delegated authority.

TO BE COMPLETED BY PROCUREMENT AUTHORITY

SECTION IV - Approval

19. Determination

- Request Authorized Pursuant to R2-7-E303

20. Approved Expiration Date

6/30/2026

21. Comments, conditions, or restrictions (as applicable)

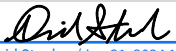
22. Print Name

David Steuber

23. Title

State Procurement Administrator

24. Signature


David Steuber (Jun 21, 2024 10:32 PDT)

25. Date of Approval

Jun 21, 2024

STATE GOVERNMENTAL UNIT NOTICE: *This is an official written determination in response to a procurement authorization request.*

A copy of the form shall be maintained by the State Governmental Unit and the State Procurement Office.

Upon completion, Requestor shall forward the signed form to the Contract Owner.

Contract Owner shall upload the signed approval version of this form in the eProcurement system.

If anticipated expenditure is above State Governmental Unit's delegation, forward document to SPOCompliance@azdoa.gov.

26. Use section as necessary (or attach additional information and check box 16)