

Exhibit "A"

The Millard County Board of Commissioners (BOCC), in accordance with Millard County Purchasing Policy, Article 2, asserts its prerogative as Purchasing Agent for this decision for which the County Planning Department is responsible. As the position of County Planner is now vacant, responsibility is assumed "when the department involved is under the direct supervision of the County Commission."

Article 3, Section D, of the Purchasing Policy states "When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to County, a contract may be entered into by competitive sealed proposals."

Wherefore, the Millard Board of County Commissioners, having reviewed the need for a contractor to create a County Resource Management Plan in compliance with H.B. 323, has determined it is most advantageous to the County to award a contract through a Request for Proposal.

Three proposals to create a County Resource Management Plan were received in response to a Request for Proposal issued on August 31, 2016. A previous contractor withdrew from the process necessitating a new RFP at that time. The Millard County Board of Commissioners have individually reviewed the three proposals.

It is the recommendation of Commissioner Dean Draper the contract be awarded to Beehive Enterprises for the following reasons:

Beehive Enterprises, Epic Engineering and Todd McFarlane submitted written proposals in response to the Request for Proposal. Each entity met the requirements of an appropriate proposal listing their qualifications and experience. However, the proposal submitted by Beehive Enterprises provided a superior offering.

Beehive enumerated several advantageous points of experience and expertise in their proposal. Beehive has "been providing planning, engineering and consulting services to Utah's rural counties for nearly 25 years...." These included "help(ing) create language that led to the creation of the Public Lands and Coordinating Office (PLPCO)" with continuing ongoing professional relationship with that agency. This firm is currently involved in creating CRMPs for Garfield, Juab, Piute and Kane Counties—indicating a high level of proficiency for the project for which the RFP was issued. Beehive is "familiar and involved with regional planning efforts coordinated through Five & Six County Associations of Governments(AOG)."

As stated in the RFP, Millard County had appropriated \$25,000.00 for completion of the project. Mr. Macfarlane proposed to do the work for \$24,500.00. In keeping with Section XXI—Administrative Policies, Purchasing for Millard County, Article 3, Section D-3, the RFP "state(d) the relative importance of price and other evaluating factors"—compliance with H.B. 323.

Section D-5 states: "Award shall be made to the person whose proposal is determined, in writing, to be the most advantageous for County, taking into consideration price and the evaluation

factors set forth in the RFP." As this was not a Request for Bid, and because \$25,000.00 had been allocated for the project, cost was not the overriding consideration in selecting a provider.

Beehive Enterprises stated: "The Plan will be science based and incorporate research of the Five & Six County AOG consultants as appropriate." This is an expectation of each proposal, but an important part of Beehive's proposal included "the Plan will provide detail where federal statute is silent with the intent of directing federal land managers in their discretionary functions." This "concept development" was not specifically brought out in the other two proposals.

A sample of another County's Air Quality CRMP section was included with Beehive's proposal. It demonstrated the quality and expertise to be expected in fulfilling the contract. Such samples did not accompany the other proposals.

Although Millard County's purchasing policy allows the County to "show preference to local vendors," it is not binding if the County cannot "justify this by determining that such decision will result in equal or greater long-term value of such procurement for certain reasons such as better and/or more convenient service, maintenance, warranty, etc."

Procurement of services to create a CRMP at this point in time requires consideration of the ability for the provider to produce the "findings, objectives and policies and guidelines identified in each of the 27 categories" (now 28 as per the Utah Legislature) named in H.B. 323. As statutory deadlines are fast approaching, it is recommended the Board of County Commissioners find it expedient to capitalize on the expertise, experience and involvement offered in Beehive Enterprises' proposal.