

**CITY OF BOISE  
SOLE SOURCE DEPARTMENT RECOMMENDATION**

**TO:** Purchasing Agent and/or Mayor and City Council

**FROM:** Jayme B. Sullivan

**DEPT:** Legal

**DATE:** September 10, 2019

**SUBJECT:** Sole Source to Thomson Reuters for Westlaw Computer Assisted Legal Research Service.

**BACKGROUND:** *Insert description of efforts to this point to solicit goods or services under normal purchasing process.*

Legal has a current contract with Thomson Reuters for Westlaw electronic research that expires September 30, 2019. Legal has contracted with Thomson Reuters on an annual basis for the past 3 years.

This is a sole source request due to the fact that competitive solicitation is impractical, disadvantageous or unreasonable under the circumstances. Further, compatibility of the service is a paramount consideration. In addition, there is no functional equivalent to this service.

**FISCAL IMPACTS:** This expenditure is funded from normal funds and there are sufficient appropriations for this contract available for this expenditure.

**Federal Funding:** Yes \_\_\_\_\_ No  X

**(Yes requires EPLS debarment check and documentation in file)**

**RECOMMENDATION:** Legal Department requests that you declare Thomson Reuters as a sole source provider of the requested expenditure at the cost of \$148,893.06 over a 3-year period (\$47,230.08 for the first year; \$49,591.68 for the second year; and \$52,071.30 for the third year).

**ACTION REQUIRED:** Purchasing Agent approval or Mayor and City Council.

**CITY OF BOISE  
SOLE SOURCE DOCUMENTATION SHEET**

**DEPARTMENT:** Legal

**DATE:** 9/10/19

**ITEM TO BE PURCHASED:** Computer Assisted Legal Research Service

**VENDOR:** Thomson Reuters

**MODEL NO.:** N/A

**I. JUSTIFICATION:** *In order for purchases to be classified as a Sole Source, Idaho Statutes require that only one source is reasonably available and may include, but is not limited to, one of the following criteria. Please provide information on determining that only one source is available and choose one of the following. A complete explanation for the justification is required below.*

- Purchase where the compatibility of equipment, components, accessories, computer software, replacement parts or service is the paramount consideration. This selection will require a complete explanation that includes any economic criteria taken into consideration.
- Purchase where a sole supplier's item is needed for trial use or testing of a new product. This selection is primarily meant for technological improvements.
- Purchase of mass-produced movies, videos, books or other copyrighted materials.
- Purchase of property for which it is determined there is no functional equivalent.
- Purchase of products, merchandise or trademarked goods for resale at a City facility. Please include any documentation of research of your search for competitive suppliers.
- Purchase where competitive solicitation is impractical, disadvantageous or unreasonable under the circumstances. This selection will require a complete explanation of the impracticality, disadvantageous nature or why the purchase is unreasonable. A formal explanation should include an economic justification.

**II. EXPLANATION:** *Provide a detailed explanation for the chosen justification from the above list.*

In performing legal research, it is critical that attorneys are able to locate case law to support legal arguments. From using both available services (LexisNexis and Westlaw), the attorneys have come to rely on the WestLaw product. It is by far the superior service. The attorneys have found it easier to use and have had a higher success in their search results. Price of the service is not the deciding factor in this particular instance. The quality, compatibility and functionality overrode the difference in price. The Westlaw databases are heavily used by the City Attorney's Office. They provide a complete legal research system, which the attorneys have come to rely upon. They are essential to the successful completion of critical legal work done by the City Attorney's Office. In addition, WestLaw includes a unique search algorithm that includes elements from the West Key Number System, West's Keycite service, and West Secondary Sources. It also includes Case Summaries, a shared folder capacity, and notes and highlighting features that are not found in other databases. Further, attorneys have used the online WestLaw filing system to file and archive relevant materials, which would take hours of attorney time to replicate in a different research system. Additionally, WestLaw contains several unique databases such as McQuillen's Municipal Law treatises, National Reporter System, Full Restatements of the Law, Uniform Laws Annotated, National Digest System, Full American Jurisprudence Library, Corpus Juris Secundum (CJS), Public Utilities Reports (PUR), Briefs on WestLaw, and more.

Given the time invested by each attorney in customizing the system to that attorney's needs, the potential impact to the attorney's ability to give timely, accurate legal advice makes it unreasonable to solicit a new source at this time. Further, several of the unique WestLaw databases are highly relied upon by the attorneys in the City Attorney's Office.

**III. OTHER SOURCES:** *Name a minimum of two other sources whose products you have evaluated and why they do not meet your needs.*

A. Vendor: LexisNexis

2/25/14

Technical Deficiency: Concern from researchers that search response provides insufficient information to adequately defend ongoing litigation cases.

B. Vendor:

Technical Deficiency:

**NOTE:** Please attach any additional information or documentation of your other sources or justification.

\*SEND COMPLETED FORM IN WORD FORMAT