

Meeting Date: 3/1/2016

Report Type: Consent

Report ID: 2016-00145

Title: Authorizing the Use of a Request for Proposals Process to Establish On-Call General Contractor Contracts (Two-Thirds Vote Required)

Location: Citywide

Recommendation: Pass a Resolution suspending competitive bidding in the best interests of the City and authorizing the use of a Request for Proposals (RFP) process to establish on-call general contractor contracts.

Contact: Amy Smith, Associate Architect, (916) 808-2262, Department of Public Works

Presenter: None

Department: Public Works Department / None.

Division: Architecture & Engineering

Dept ID: 15004541

Attachments:

1-Description/Analysis

2-Resolution

City Attorney Review

Approved as to Form

Gary Lindsey

2/23/2016 11:04:07 AM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 2/10/2016 11:36:40 AM

Description/Analysis

Issue Detail: On-call contracts are often established to augment staff during times of peak workload, to provide specialized work, and work on essential facilities. The on-call general contractor contracts used by the Department of Public Works since January 2011 expired on February 15, 2016 and there is now a need to establish new contracts. The RFP process may result in four to five on-call contracts being established for work needed over the next three years.

Policy Considerations: The recommendations in this report are in accordance with the provisions of City Code Section 3.60.170, which states that the restrictions and provisions of City Code requiring the award of contracts by competitive bidding shall not apply when, upon two-thirds vote of the City Council, it is determined that it is in the best interests of the City to suspend competitive bidding for any contract.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): The recommendations in this report involve the administrative activity of contracting for nonprofessional services and are exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: An RFP process is more appropriate to establish on-call contracts for public project work than a typical Request for Bid (RFB) process because: 1) the RFB process is not practicable since there is no specific project on which to bid; and 2) the RFP process allows for contractor selection based on qualifications in addition to price. Suspending competitive bidding is required because the RFP process is an alternative to the typical RFB method in which contractors are selected on the basis of low bid.

On-call contracts are created to provide timely services during times of peak work load, when specialized work is required, or when operations of essential facilities are being interrupted. Establishing on-call contracts is a best management practice, and these contracts are not proposed to be used as routine substitute for the RFB process.

Financial Considerations: There are no financial considerations associated with this report. Upon approval of this recommendation, staff will return to City Council with a

recommendation to establish on-call general contractor contracts, and a recommendation to award four to five on-call contracts.

Local Business Enterprise (LBE): Not applicable

RESOLUTION NO. 2016-

Adopted by the Sacramento City Council

March 1, 2016

AUTHORIZING THE USE OF A REQUEST FOR PROPOSALS PROCESS TO ESTABLISH ON-CALL GENERAL CONTRACTOR CONTRACTS (TWO-THIRDS VOTE REQUIRED)

BACKGROUND

- A. On-call contracts are established to augment staff during times of peak workload, to provide specialized work, and to provide services on essential facilities. The on-call general contractor contracts used by the Department of Public Works since January 2011 expired on February 15, 2016 and there is now a need to establish new contracts. Establishing on-call contracts is a best management practice, and these contracts are not proposed to be used as routine substitute for the Request for Bids process.

- B. City Code Section 3.60.170 allows the City Council to suspend competitive bidding for any contract when, upon a two-thirds vote, it is determined that it is in the best interests of the City to do so. Suspending competitive bidding is required because the Request for Proposals process is an alternative to the typical Request for Bids method of public project contracting in which contractors are selected on the basis of low bid.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. It is in the best interest of the City to suspend competitive bidding.

- Section 2. Competitive bidding is hereby suspended and the use of a Request for Proposals process to establish on-call general contractor contracts is authorized.