

CITY OF YUBA CITY  
STAFF REPORT

**Date:** June 18, 2019  
**To:** Honorable Mayor & Members of the City Council  
**From:** Finance Department  
**Presentation By:** Spencer Morrison, Accounting Manager

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**Summary**

**Subject:** Fiscal Year 2019-2020 Citywide Sole Source and Professional Services Purchases.

**Recommendation:** Adopt a Resolution pre-authorizing the City Manager or designee to enter into citywide Sole Source and Professional Services Purchases from July 1, 2019 through June 30, 2020, for specified items based on each purchase recommendation being in the best interest of the City.

**Fiscal Impact:** \$7,182,500, approximate total of estimated purchases throughout the fiscal year 2019-2020.

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**Purpose**

Approve known future and reoccurring sole source and professional services purchases in the 2019-2020 fiscal year.

**Background:**

The purpose of this staff report is to consolidate known future and mostly reoccurring sole source and professional services purchases in the 2019-2020 fiscal year. This approach streamlines purchases during the year and allows City Council to have a broader knowledge of the upcoming sole source and professional services purchases. In 2008, the City Manager sought to improve efficiency and streamline routine large purchases by placing all known, professional service and sole source purchases required to go before City Council due to exceeding the City Manager's \$50,000 purchasing authority onto one agenda item that serves to streamline the agendas. To continue to improve the process, a few years later it was suggested that all of the multi-year professional service and sole source purchases be included on the staff report even though the current Council, or a previous Council, had awarded the contract on a previous agenda, in order to provide the most transparency.

Vendors appearing in the analysis section below include those providing support, maintenance, or upgrades for proprietary equipment, those which are annually successful in the three quotes process for enough work to potentially bring them above the \$50,000 threshold in a fiscal year, and those which are continuing in a multiple year agreement that totals over \$50,000 over the entire contract which may have been competitively selected and awarded by Council, originally. Additionally, some purchases appear which are subject to the Public Contract Code wherein the threshold is \$60,000, but are included for public, City Council, and staff information.

All such contracts and purchasing will continue to follow the Purchasing Policy, as adopted by City Council, sections 8-6 through 8-8. Additionally, formal bid purchases will continue to go through the formal bid process outlined in the City's Purchasing Policies and Procedures, along with any sole source, professional services, and commodity purchases that are not in this report.

A sole source purchase is appropriate when:

- An integral repair part or accessory compatible with existing equipment is only available from one vendor, or
- A product has a unique design/performance specification or quality requirements essential to department operations, or
- This is only one known manufacturer or is only authorized seller/servicer of the product in the region, or
- Staff has specialized training or expertise with a product and retraining is substantial, or
- Upgrading existing software, making emergency purchases, or special situations as they arise.

If there is a change in circumstances such that any sole source, professional services or commodity purchases would not be warranted under the Purchasing Policy, staff will return to the City Council for approval as to another vendor, etc., as appropriate.

#### **Analysis:**

With a City Council approval of staff's recommendation, the departments will still be required to work within their approved budgets for the fiscal year 2019-2020 and comply with the adopted Purchasing Policy when making purchases. The items in attachment 2 were considered by departments when building their budgets.

#### **Alternatives:**

Direct staff to formally bid the above sole source purchases and solicit proposals for the professional services agreements.

#### **Recommendation:**

Adopt a resolution pre-authorizing the City Manager or designee to enter into Approve citywide Sole Source and Professional Services Purchases from July 1, 2019 through June 30, 2020, for specified items, and authorize the City Manager or designee to enter into agreement for up to these amounts based on each purchase recommendation being in the best interest of the City.

#### **Attachments:**

1. Resolution
2. List of Applicable Vendors, Estimated Amounts, and Descriptions
3. Excerpt from Yuba City's Purchasing Policy
4. Relevant section from the Public Contract Code

Prepared By:

*/s/ Spencer Morrison*

Spencer Morrison  
Accounting Manager

Submitted By:

*/s/ Diana Langley*

Diana Langley  
Interim City Manager

Reviewed By:

Finance

City Attorney

RB

SLC by email

# ATTACHMENT 1

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
PRE-AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO  
CITYWIDE SOLE SOURCE AND PROFESSIONAL SERVICES PURCHASES  
FROM JULY 1, 2019 THROUGH JUNE 30, 2020**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

WHEREAS, the City of Yuba City is a public entity established under the laws of the State of California, and;

WHEREAS, the City of Yuba City has a City Council adopted Purchasing Policy that provides direction to staff on all professional service and sole source agreements, and;

WHEREAS, the City Council of the City of Yuba City has the intent to keep the approval of routine and annual purchases through negotiated professional service and sole source agreements with well-vetted and competent vendors efficient while maintaining transparency, and;

WHEREAS, such a process promotes the efficient use of public resources, and is in the best interests of the City; and

WHEREAS, the City Council desires to authorize the City Manager, or designee, to enter into contracts with the vendors on the attached list, to be updated and brought before City Council annually.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

1. From July 1, 2019 through June 20, 2022, the City Council pre-authorizes the City Manager, or designee, to enter into agreements with vendors, service providers, etc., as identified on the attached Exhibit "A", and in the amounts not to exceed those identified therein. The City Manager, or designee, shall otherwise have discretion as to the terms of said agreements, subject to review and approval of the City Attorney as to legal form. The actual selection and award of such contracts and purchasing items will continue to comply the City's adopted Purchasing Policy as may be amended. If there are circumstances such that an award of any sole source, professional service or commodity purchase to a pre-authorized business or person would not otherwise be warranted under the Purchasing Policy, then the award shall not be made to that pre-authorized person or business. Instead, the City Manager or designee will return to the City Council to obtain approval as to another person or business who would be appropriately awarded the bid or agreement consistent with the Purchasing Policy, unless the City Manager was otherwise authorized to make such an award under the Purchasing Policy or other authority previously granted by the City Council.

2. The City Council finds that the pre-authorization as provided for herein promotes the efficient use of public resources, and is in the best interests of the City.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 18<sup>th</sup> day of June, 2019.

AYES:

NOES:

ABSENT:

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Shon Harris, Mayor

ATTEST

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

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Shannon Chaffin, City Attorney  
Aleshire & Wynder, LLP

# ATTACHMENT 2

### **Administration:**

AMISTAD AND ASSOCIATES of Sebastopol, CA  
Professional Services Agreement for Organizational Development and Team Building Consulting across all departments in the City in an amount not to exceed **\$70,000**.

### **Community Services Purchases:**

LANDSCAPES BY STENTZEL of Live Oak, CA  
Professional services agreement in the estimated amount of **\$85,000** for special projects in the Feather River Parkway and Landscape Maintenance Districts.

APPLIED LANDSCAPE MATERIALS of Rocklin  
Sole source in the estimated amount of **\$51,000** to provide maintenance support at city parks and playgrounds and all landscape districts throughout the City.

LINCOLN AQUATICS of Sacramento  
Professional services agreement in the estimated amount of **\$75,000** to provide maintenance support for chemical pumps, filters, and heaters at the City's Gauche Aquatic Park.

SIERRA PACIFIC TURF SUPPLY  
Sole source in the estimated amount of **\$60,000** for purchasing fertilizer and pesticides for City facilities and parks throughout the City.

RICHARD'S TREE SERVICE of Yuba City, CA  
Professional Services Agreement in the amount of **\$220,000** for City tree maintenance.

ALL ABOUT PLAY of Sacramento, CA  
Sole Source in the estimated amount of **\$88,000** for purchasing playground equipment.

### **Development Services Purchases:**

TRUE POINT SOFTWARE of Loomis, CA  
Professional services agreement in the estimated amount of **\$75,000** for implementation, training and setup for Accela software.

DENIS COOK of Yuba City, CA  
Professional services agreement in the estimated amount of **\$75,000** for Planning and Development Services consulting.

LAND LOGISTICS of Davis, CA  
Professional services agreement in the estimated amount of **\$75,000** for Planning and Development Services consulting.

### **Finance/IT Purchases:**

WILLDAN FINANCIAL SERVICES of Temecula, CA  
Professional services agreement in the estimated amount of **\$60,000** for assessment district administration, continuing disclosure, and arbitrage rebate reporting.



INDEPENDENT STATIONERS/AFFORDABLE OFFICE FURNITURE of Indianapolis, IN  
Piggyback on The Cooperative Purchasing Network (TCPN) contract with Independent Stationers for office supplies in the estimated amount of **\$150,000**. TCPN competitively bid the contract for office supplies and facilitates City use of the Yuba City-based vendor.

INFOSEND of Anaheim, CA  
Professional services agreement in the estimated amount of **\$140,000** for payment processing, statement printing, and mailing for the City's utility bills.

HdL of Diamond Bar, CA  
Professional services agreement in the estimated amount of **\$73,000** for business license audit and discovery (\$34k), sales tax audit (\$25k), and property tax audit (\$14k).

SPILLMAN TECHNOLOGIES of Logan, UT  
Sole source in the estimated amount of **\$140,000** for the annual maintenance agreement of the City's Police CAD/RMS System. This system is a collection of software modules that integrate to form a single system. Spillman is the developer and sole distributor of their software.

CENTRAL SQUARE TECHNOLOGIES of Lake Mary, FL.  
Sole source in the estimated amount of **\$160,000** for the City's financial system annual maintenance agreement. This system is a collection of software modules that integrate to form a single system. Pentamation is the developer and sole distributor of their software.

LENOVO GLOBAL TECHNOLOGY of Morrisville, NC  
Sole source computer purchases in the estimate amount of **\$120,000** for fiscal year 2019-20 at prices not to exceed the California Multiple Award Schedule (CMAS) contract price for Lenovo Global Technology.

SOFTWARE ONE of Waukesha, WI  
Sole source in the estimated amount of **\$100,000** for the City's Microsoft Enterprise Agreement annual maintenance. This agreement provides software for desktops, servers and applications including Office, Email and Databases. Software One is the designated reseller in our state by Microsoft and is the only authorized reseller for all organizations in the State of California.

SUTTER BUTTES COMMUNICATION of Yuba City, CA  
Sole source in the estimated amount of **\$120,000** for parts, installation, radio service and warranty for patrol vehicles, fire vehicles, and the communication center. Sutter Buttes has been providing service to the City for many years and is very familiar with the parts and installation that is needed to keep our radio communications working.

MOTOROLA SOLUTIONS, INC of Schaumburg, IL  
Sole source in the estimate amount of **\$130,000** for portable radios and accessories for personnel and vehicles.

DATA 911 of Poway, CA  
Sole source in the estimated amount of **\$80,000** for mobile data computers and video as well as body cameras for the police department.

## **Fire Purchases:**

### ALLSTAR FIRE EQUIPMENT OF HAYWARD, CA

Sole source contract in the estimated amount of **\$51,000** for Fire Department purchases of Phos-Check Class A and Angus AR-AFFF Class B concentrated firefighting foam, structural firefighting helmets, and hose. AllStar Fire Equipment is the exclusive regional distributor of Phoenix helmets.

### LN CURTIS & SONS of Oakland, CA

Sole source contract in the estimated amount of **\$100,000** for Fire personal protective equipment, hose and apparatus equipment, and vehicle extrication equipment. LN Curtis & Sons has exclusive contracts with many manufacturers of Fire Equipment used by the Yuba City Fire Department. Standardization of equipment for all fire units is necessary for efficient use in emergencies.

## **Human Resources:**

### RIDEOUT OCCUPATIONAL HEALTH of Yuba City, CA

Professional services agreement in the estimated amount of **\$51,000** for Occupational Health and drug testing services including pre-employment physicals, DOT testing, and non-DOT drug screens.

## **Public Works Purchases:**

### Professional Services:

#### ARCSINE ENGINEERING of Redding, CA

Professional services in the estimated amount of **\$75,000** for support of the electrical, SCADA, and instrumentation systems at the Water and Wastewater Treatment Facilities.

#### BLAIS & ASSOCIATES of Little Elm, TX and Irvine, CA

Amendment of the City's grant monitoring and support services agreement in the estimated amount of \$26,500 for an estimated agreement total of **\$120,000** per calendar year due to increased grant opportunities.

#### CALTEST of Napa, CA

Professional services in the estimated amount of **\$200,000** for contracted laboratory services.

#### DU-ALL SAFETY of Fremont, CA

Sole source in the estimated amount of **\$75,000** for the continued development and implementation of safety programs, employee training, and compliance services.

#### EN2 RESOURCES, INC. of Placerville, CA

Professional services in the estimated amount of **\$75,000** for engineering support and environmental services related to environmental monitoring and reporting.

#### ENVIRONMENTAL SCIENCE ASSOCIATES of Sacramento, CA

Professional services in the estimated amount of **\$75,000** for engineering support and environmental services for the water and wastewater systems related to environmental permitting and study.

ESTRADA ENGINEERING of Yuba City, CA

Professional services in the estimated amount of **\$100,000** for design services in support of Engineering and CIP projects.

EWING CONSTRUCTION SERVICES of Davis, CA

Professional services in the estimated amount of **\$75,000** for professional support and review services of water and wastewater construction projects.

HOLMES INTERNATIONAL of Sacramento, CA

Professional services in the estimated amount of **\$100,000** to support the update of the City's Sewer System Management Plan, condition assessment of the sewer collection system, and on-call services for the wastewater system and improvement project development.

HOLT OF CALIFORNIA of West Sacramento, CA

Amendment of the agreement to repair the Harter Water Tank generator in the estimated amount of \$35,000 for a new agreement total of **\$78,500** in order to complete additional repairs discovered during the pull and inspection phase.

JACOBS of Sacramento, CA

Professional services in the estimated amount of **\$100,000** for engineering support of the water and wastewater systems.

LARRY WALKER ASSOCIATES of Davis, CA

Professional services in the estimated amount of **\$130,000** for consulting services related to the WWTF NPDES permit renewal, diffuser relocation projects, and storm-water management.

MHM, INC. of Marysville, CA

Professional services in the estimated amount of **\$100,000** for on-call engineering, surveying, and design services on a time-and-materials basis to support miscellaneous Engineering, CIP, water, and wastewater projects.

NORTHSTAR of Chico, CA

Professional services in the estimated amount of **\$75,000** for the preparation and submission of environmental documentation for state- and federally-funded projects and related on-call services.

OPERATIONS AND PERMITTING SPECIALISTS of Sherwood, OR

Professional services in the estimated amount of **\$155,000** for engineering and administrative support for the water and wastewater systems regarding operations, regulatory compliance, and related on-call services.

PACIFIC ECORISK of Fairfield, CA

Professional services in the estimated amount of **\$100,000** for contracted laboratory services.

SOMACH SIMMONS & DUNN of Sacramento, CA

Professional services in the estimated amount of **\$60,000** for legal services for water rights and supply issues.

TESCO of Sacramento, CA

Professional services in the estimated amount of **\$130,000** for instrumentation system support, preventative maintenance services, and proprietary materials and parts at the Water and Wastewater Treatment Facilities.

TJC AND ASSOCIATES of Sacramento, CA

Professional services in the estimated amount of **\$100,000** for support of the structural design, electrical, SCADA, and instrumentation systems at the Water and Wastewater Treatment Facilities.

TULLY & YOUNG, INC. of Sacramento, CA

Professional services in the estimated amount of **\$60,000** for water planning and supply consultant services.

WASTEWATER TECHNOLOGY TRAINERS of Sacramento, CA

Professional services in the estimated amount of **\$75,000** for evaluation, analysis, and training regarding Wastewater Treatment Facility operations and processes.

WEST YOST ASSOCIATES of Davis, CA

Professional services in the estimated amount of **\$150,000** for engineering support services for the water and wastewater systems.

WOODWARD & CURRAN of Walnut Creek, CA

Professional services in the estimated amount of **\$100,000** for engineering support services for the water and wastewater systems.

On-call Services:

COMMERCIAL PUMP & MECHANICAL, INC. of Chico, CA

Sole source in the estimated amount of **\$75,000** for on-call mechanical and pump repair services on a time-and-materials basis for water and wastewater infrastructure maintenance.

DEWITT BROTHERS & CO, INC. of Yuba City, CA

Sole source in the estimated amount of **\$100,000** for on-call construction services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

ELITE POWER, INC. of Sacramento, CA

Sole source in the estimated amount of **\$75,000** for on-call electrical services on a time-and-materials basis for the water and wastewater systems.

FLETCHER'S PLUMBING of Yuba City, CA

Sole source in the estimated amount of **\$100,000** for on-call maintenance and repair services on a time-and-materials basis, including emergency response for City facilities, specialty wastewater equipment needs, and maintenance assistance for the STEP sewer systems in the Stonegate area.

LAMON CONSTRUCTION of Yuba City, CA

Sole source in the estimated amount of **\$100,000** for on-call construction services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

MICHELS CORPORATION DBA MICHELS PIPELINE CONSTRUCTION of Salem, OR  
Sole source in the estimated amount of **\$75,000** for water infiltration, manhole rehabilitation, and related on-call services for the sewer collection system.

MIXRITE MASONRY of Yuba City, CA  
Sole source in the estimated amount of **\$60,000** for on-call masonry construction and repairs on a time-and-materials basis for City facilities, road improvements, and Lighting & Landscape Maintenance Districts.

NEWLAND ENTITIES of Marysville, CA  
Sole source in the estimated amount of **\$100,000** for on-call construction services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

NFB ENGINEERING of Sacramento, CA  
Sole source in the estimated amount of **\$75,000** for on-call concrete construction and repairs on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Code Section 22032(a).

NOR-CAL PIPELINE SERVICES of Fairfield, CA  
Sole source in the estimated amount of **\$100,000** for on-call sewer collection system maintenance and repairs on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Code Section 22032(a).

NORTH STAR CONSTRUCTION AND ENGINEERING, INC. of Yuba City, CA  
Sole source in the estimated amount of **\$200,000** for on-call construction and engineering services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

PERRIN CONSTRUCTION of Redding, CA  
Sole source in the estimated amount of **\$75,000** for on-call concrete construction and repairs on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Code Section 22032(a).

RICHALL ELECTRIC CO. of Yuba City, CA  
Sole source in the estimated amount of **\$125,000** for on-call electrical services on a time-and-materials basis, including emergency and afterhours work, for all City facilities.

ST. FRANCIS ELECTRIC, INC. of San Leandro, CA  
Amendment of the City's traffic signal monthly and on-call maintenance contract in the estimated amount of \$80,000 for a new agreement total of **\$80,000** due to increased electrical response and staff augmentation needs.

STEVENS EXCAVATING of Yuba City, CA  
Sole source in the estimated amount of **\$100,000** for on-call construction services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

TNT INDUSTRIAL CONTRACTORS, INC. of Sacramento, CA

Sole source in the estimated amount of **\$100,000** for on-call construction services on a time-and-materials basis for public works projects of \$60,000 or less in accordance with Public Contract Codes Section 22032(a).

Sole Source Purchases:

JAM SERVICES of Livermore, CA

Sole source in the estimated amount of **\$75,000** for the City's customized illuminated street name signs and replacement parts and miscellaneous electrical parts and equipment.

NATIONAL METER & AUTOMATION of Santa Rosa, CA

Sole source in the estimated amount of **\$700,000** for the continued provisions of the water meter reading system, such as software support (\$4,000) and water meter equipment and repair parts (\$696,000). National Meter is a subsidiary of Badger Meter, Inc.

POLYDYNE, INC. of Riceboro, GA

Sole source in the estimated amount of **\$300,000** for polymer for the wastewater treatment process.

REXEL USA, INC. of Sacramento, CA and Redding, CA

Sole source in the estimated amount of **\$200,000** for Allen-Bradley brand Programmable Logic Controllers (PLC) and associated equipment to replace the existing PLCs at the Wastewater Treatment Facility for automation control improvements during the Wastewater Treatment Facility Improvements Project. The City is required to provide the PLCs for the project per the project's plans and specifications, which were approved by Council on May 1, 2018. City staff and the WWTF Improvements Project designers have evaluated comparable PLCs and determined that Allen-Bradley PLCs are the best performance fit for the facility; Rexel is the regional distributor for Allen-Bradley equipment.

REXEL USA, INC. of Yuba City, CA

Sole source in the estimated amount of **\$100,000** for electrical parts, supplies, and services for the Water and Wastewater Treatment Facilities.

RIEBES AUTO PARTS of Yuba City, CA

Sole source in the estimated amount of **\$60,000** for general minor parts and supplies for fleet maintenance.

RUSSELL & BOALS PAINTING, INC. of Yuba City, CA

Sole source in the estimated amount of **\$75,000** for painting and painting maintenance as-needed at various City facilities.

XYLEM WATER SOLUTIONS USA, INC. of Rye Brook, NY and Fairfield, CA

Sole source in the estimated amount of **\$75,000** for specialty pumps, parts, and supplies for the Water and Wastewater Treatment Facilities.

# ATTACHMENT 3

## Excerpt from Yuba City's Purchasing Policy

### **8-6 Professional Services:**

8-6.1 Definition: Those services by independent contractors such as legal, engineering, programming, planning, environmental, economic, financial, testing, specialized temporary employee services, medical, dental, accounting, surveying, landscape architecture, advertising, design, etc., are to be considered to be "Professional Services". This may also include services requiring peculiar or other specialized abilities and by State Law do not require competitive bidding.

8-6.2 Decentralized: Contracting for professional services is decentralized and shall be the responsibility of each applicable department head.

8-6.3 Solicitation of Proposals: Solicitation of professional service proposals is the responsibility of the operating departments. The Finance Division may be contacted to assist in the formal request for proposal process.

8-6.4 Selection of Consultant: Contracts negotiated by the City for professional services will be based on demonstrated competence, professional qualifications for the services required, availability, and fair and reasonable cost. Competitive bidding is encouraged whenever possible. However, it is not mandatory.

8-6.5 Contracts/Agreements: When professional service contracts do not exceed \$50,000, departments shall use the "Standard Form Contract for Professional Services". Professional service contracts/agreements over \$50,000 require a professional services contract/agreements approved by the City Attorney.

8-6.6 City Attorney Review and Approval: The City Attorney shall review and approve as to form: (1) All professional services contracts over \$50,000; (2) All professional services contracts which are to go to City Council for approval; and (3) All additions/deletions/changes to the "Standard Form Contract for Professional Services" for agreements less than \$50,000; and (4) The City Attorney shall review any contract provided by a vendor for use in place of the City standard form contract for professional services.

8-6.7 Dollar Limits — Professional/Consultant Services: Specified dollar limits are per provider per fiscal year and are not to be split to circumvent the determined limits.

8-6.7.1 Contracts of \$25,000 or Less: Operating departments should, whenever possible, contact three (3) consultants/firms, select the most qualified firm based on demonstrated competence, professional qualifications, availability, and fair and reasonable cost. Written justification shall be provided regarding the selection of the successful proposer. Contacting three (3) firms, although encouraged, is not required for contracts \$15,000 or less. Department heads are authorized to sign professional service contracts totaling \$25,000 or less.

8-6.7.2 Contracts \$25,000.01 up to \$50,000: Operating departments should, whenever possible, contact three (3) consultants/firms, select the most qualified firm based on demonstrated competence, professional qualifications, availability, and fair and reasonable cost. Written justification shall be provided regarding the selection of the successful proposer. The City Manager is authorized to sign



professional service contracts totaling \$50,000 or less. No provider/consultant/vendor shall be awarded more than \$50,000 of professional services contracts for the City as a whole without prior Council authorization.

8-6.7.3 Contracts Over \$50,000: Operating departments shall solicit written proposals and negotiate with a minimum of three (3) consultants/firms, whenever possible. Selection shall be based on demonstrated competence, professional qualifications, availability, and fair and reasonable cost. Written justification shall be provided regarding the selection of the successful proposer. When firms submitting proposals have been previously interviewed, selection may be made based on the City's previous knowledge of the firm's qualifications and experience. Professional service contracts over \$50,000 require City Council approval.

8-6.7.4 Operating Department Responsibilities: a) Prepare specifications, scope of work. b) Solicit, review and select qualified consultant/firm. c) Provide written documentation justifying selection of the successful consultant/firm. d) Prepare a City professional services contract. e) Submit the contract to the City Attorney for review and approval, if applicable. f) Secure and review required insurance certificates for conformance to City contract requirements. (insurance requirements available on CityNET). g) If between \$25,000.01 and \$50,000 obtain City Manager approval. h) If over \$50,000 obtain Council approval. i) Secure all necessary signatures on the contract. j) Submit requisition to Finance to issue a purchase order. k) Compile all exhibits/attachments described or referenced in the contract. l) Submit Original signed contract complete with exhibits and attachments to the City Clerk. m) Provide the consulting firm a signed copy of the contract.

**8-7. Technical/Maintenance Services:** Services of a more technical nature (as opposed to professional/consultant services) involve limited discretionary judgment and shall require competitive bids or proposals. Such services would include preventive maintenance services, janitorial services, landscape maintenance, etc. See Section 8-2 for bidding procedures.

**8-8. Bidding may be dispensed with** When:

8-8.1 The cost of materials, supplies, or services is under \$1,000.01.

8-8.2 When contracting for professional/consultant service, such contracts are not competitively bid, but shall be negotiated with the most qualified proposer. Refer to Section 8-6.

8-8.3 When it is in the best interest of the City to negotiate an extension of an existing contract for supplies or technical services, based upon satisfactory performance, such negotiated price must be fair and reasonable. This shall also apply to products or services purchased through prior recent bidding. 8-

8.4 Sole Source Purchases: When competitive quotations for goods and services are not possible, such purchases shall be made through negotiated procurement and coordinated through the Finance Division. Sole source includes emergency purchases and may require City Manager or City Council approval.

8-8.4.1 Commodities and services which can be obtained from only one vendor are exempt from competitive bidding. Sole source purchases may include proprietary items as well as standardization requests. A Sole Source Request form signed by the requestor's Department Head and City Manager (if

applicable) then forwarded to the Finance Division and filed to justify sole source purchase. Sole source specifications should be avoided whenever possible as they minimize or eliminate competition.

8-8.4.2 Sole Source is Appropriate When: The requested product is an integral repair part or accessory compatible with existing equipment and is only available from one (1) vendor. The requested product has unique design/performance specifications or quality requirements which are essential to department operations and are not available in comparable products. Only known manufacturer of this product. The requested product is one with which department staff have specialized training and/or extensive expertise. Retraining would incur substantial cost in time and/or money. Only vendor authorized to sell/service this product in our region. Upgrade to existing software. Available only from the producer of this software who sells on a direct basis only. Other (Emergency Purchase). Special situations as they arise.

8-8.4.3 City Manager Approval: Completed Sole Source Request forms between \$25,000.01 and \$50,000 require the approval of the City Manager.

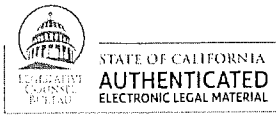
8-8.4.4 City Council Approval: Completed Sole Source Request forms over \$50,000 require the approval of the City Council.

8-8.4.5 Emergency Purchases up to \$50,000: Emergency purchases may be made without benefit of competitive bidding when time is of the essence. Emergency purchases should be made only for the following reasons: (1) To preserve life, health or property; (2) Upon a natural disaster; (3) To correct or forestall a shutdown to maintain essential public services; or (4) other unforeseeable events (as authorized by the City Manager). Emergency purchases are not valid for contrived urgencies resulting from lack of planning and organization. Since emergency orders do not normally provide the City an opportunity to obtain competitive quotes, nor properly encumber funds, such orders should be kept to an absolute minimum. Emergency purchases shall be approved by department head or designee. The completed Requisition/Purchase Order form should be submitted to Finance within 48 hours of the emergency, bearing an authorized signature.

8-8.4.6 Emergencies Over \$50,000: Emergency Purchases forms over \$50,000 require the approval/signature of the City Manager. City Manager shall provide a report after any emergency purchase over \$50,000 at the next City Council meeting following the emergency purchase.

8-8.4.7 Emergency Public Works Projects: Public Works projects shall be completed according to Public Contract Code 22050 and the City's Municipal Code Section 2-6.15.

# ATTACHMENT 4



**State of California**

**PUBLIC CONTRACT CODE**

**Section 22032**

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22032. (a) Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of two hundred thousand dollars (\$200,000) or less may be let to contract by informal procedures as set forth in this article.

(c) Public projects of more than two hundred thousand dollars (\$200,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedure.

(Amended by Stats. 2018, Ch. 169, Sec. 2. (AB 2249) Effective January 1, 2019.)