



CITY COUNCIL AGENDA STATEMENT



June 4, 2019

File ID: 19-0296

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A PURCHASING AND CONTRACT ADMINISTRATIVE POLICY FOR FEDERALLY FUNDED PURCHASES

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

The Finance Department was notified during its Financial Audit that it is required to establish a policy that provides guidance related to procurements funded by Federal or State grants with passthrough funding from a Federal agency. The attached policy was derived by mirroring the exact language identified within the Electronic Code of Federal Regulations (e-CFR) Title 2 Grants and Agreements, Volume 1, Subtitle A, Chapter 2, Parts §200.318 through §200.326. It however may change from time to time and this item would delegate authority to the Finance Director to update the policy accordingly. Additionally, it is the procuring department's responsibility to ensure it follows this policy. Updates will be posted through ecfr.gov, Title 2, Chapter II (200-299).

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable

DISCUSSION

The Guidelines (Attachment 1) cover topics that include but are not limited to general procurement standards, competition, methods of procurement to be followed, contracting with small, minority, women & disabled veteran business enterprises, procurement of recovered materials, contract cost and price, Federal awarding agency or pass-through entity review, bonding requirements & contract provisions. These guidelines cover specific processes and documentation that will be reviewed during grant audits.

These will determine if the City will be reimbursed or receive future funding. Staff recommends approval of this policy for this use.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.)

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There is no fiscal impact with relation to expenditures and revenues associated with approval of the item.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact with relation to expenditures and revenues associated with approval of the item.

ATTACHMENTS

1. Proposed Administrative Policy

Staff Contact: David Bilby, Victor De La Cruz