

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO CHULA VISTA MUNICIPAL CODE SECTION 2.56.070(B)(3) AND APPROVING A CONTRACTOR/SERVICE PROVIDER AGREEMENT WITH SOUTH BAY COMMUNITY SERVICES (SBCS) TO PROVIDE AN EMERGENCY RENTAL AND UTILITY ASSISTANCE PROGRAM FUNDED BY STATE AND FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021 ALLOCATIONS

WHEREAS, in January 2020, as a result of the COVID-19 virus, the World Health Organization (“WHO”) declared a Public Health Emergency of International Concern and the United States Secretary of Health and Human Services declared a Public Health Emergency; and

WHEREAS, various states of emergency were declared by the United States (March 13, 2020), the State of California (March 4, 2020), the County of San Diego (February 19, 2020), and the City of Chula Vista (March 17, 2020 pursuant to City Council Resolution No. 2020 -065) because of the threat to public safety (to persons and property including both physical and economic harm) as result of the COVID-19 virus; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Public Health, and the San Diego County Department of Public Health have all issued recommendations and orders, including, but not limited to, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus that continues to the present; and

WHEREAS, the economic impact and financial hardship faced by low-income households as a result of COVID-19 has affected their ability to pay for housing and basic needs, placing them at risk of homelessness during this period where it is critical to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

WHEREAS, on December 27, 2020, the President of the United States signed into law the Consolidated Appropriations Act, 2021 (the “Act”), more commonly known as the HR-133, which authorizes \$25B in emergency rental relief; and

WHEREAS, on January 5, 2021, the U.S. Department of the Treasury launched the \$25 billion Emergency Rental Assistance Program (ERAP) established by the Consolidated Appropriations Act, 2021; and

WHEREAS, the ERAP assists low-income households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

WHEREAS, the Act provided \$2.6 billion to the State of California and those local municipalities with populations greater than 200,000 based on a population; and

WHEREAS, the City of Chula Vista received a direct allocation from the U.S. Treasury Department in the amount of \$8,161,124 and authorized the City Manager to complete all documents required to obtain the Emergency Rental Assistance Program Allocation; and authorized the appropriations in fiscal year 20/21; and

WHEREAS, on January 29, 2021, the State of California passed Senate Bill 91(SB-91) that set the State's Emergency Rental Assistance Program (SERAP) to allow Cities and County's with populations over 200,000 to opt into one of three program models; and

WHEREAS, by accepting SERAP as a block grant (Option B) in the amount of \$8,719,349.60, the City shall take on the responsibilities included in SB-91 and Health and Safety Code 50897.1 (b)(1-3); and

WHEREAS, the City will contract with a Subrecipient to assist with the expenditure of a portion of the U.S. Treasury Department Emergency Rental Assistance Funding and State of California Emergency Rental Assistance Program funds will be allocated to assist low-income residents affected by COVID-19, as follows:

Agency	Program	Funding Source	Initial Allocation	Not to Exceed
South Bay Community Services	Emergency Rental Assistance Program	State SERAP U.S Treasury ERAP	\$5,700,000	\$8,000,000

WHEREAS, in order for an outside agency to receive and operate a grant funded activity, they must formally enter into a Subrecipient agreement with the City of Chula Vista in order to formalize and specify the requirements and conditions under which the U.S. Treasury Direct Allocation and State Block Grant Allocation funds are being provided to the outside agency; and

WHEREAS, staff intends to utilize City's standard template, the City of Chula Vista Contractor/Service Provider Services Agreement, to contract with the outside service providers, South Bay Community Services (SBCS); and

WHEREAS, City Council finds: (1) that the use of the competitive bidding process set forth in Chula Vista Municipal Code (CVMC) section 2.56.070 is impractical and that the City's best interests would be better served by waiving said bidding requirements, particularly given the strict time lines required by the state and federal governments to encumber and expend said funds and the urgent need for said funds by the citizens of Chula Vista (2) and that SBCS is uniquely qualified to meet the state and federal grant obligations, including, but not limited to, that SBCS has a long history of partnering with the City to administer rental assistance programs and complying with attendant state and federal regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista (1) that it, based upon the above findings, that it hereby waives the competitive bid requirements set forth in Chula Vista Municipal Code section 2.56.070 and SBCS is awarded the contract on a “sole source” basis under the authority of Chula Vista Municipal Code section 2.56.070(B)(3) and (2) that it authorizes the City Manager to enter into a City of Chula Vista Contractor/Service Provider Services Agreement between City and South Bay Community Services (SBCS) in accordance with the general terms and conditions as outlined in the agenda statement and attendant State and Federal Requirements, in a not to exceed aggregate amount of \$8,000,000, on a form approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

Presented by

Approved as to form by

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney