

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT, APPROVING THE CONSULTANT SERVICES AGREEMENT WITH KEEFE COMMISSARY NETWORK TO PROVIDE COMMISSARY RELATED SERVICES AND PRODUCTS TO THE INMATES OF THE CHULA VISTA POLICE DEPARTMENT CITY JAIL, AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO EXECUTE SAME

WHEREAS, City, through its Chula Vista Police Department, operates a Type I and II jail facility (“Jail”); and

WHEREAS, the Jail offers a commissary service that allows inmates to purchase a variety of commissary items at their expense; and

WHEREAS, prior to 2011 commissary services were managed directly by City staff, who were required to purchase, transport, maintain and deliver an inventory of commissary products to inmates; and

WHEREAS, Keefe Commissary Network (“Keefe”) is in the business of supplying food and other related products to inmate commissary departments of correctional facilities throughout the United States; and

WHEREAS, in 2011 City and Keefe entered into an agreement for commissary services, which reduced staff time and provided more efficient services to the Jail; and

WHEREAS, products purchased by inmates under the commissary service are paid for by City, which is subsequently reimbursed by inmates using funds from each inmate’s individual Inmate Account; and

WHEREAS, in 2012 City and Keefe agreed to amend the service rate outlined in the 2011 agreement; and

WHEREAS, in 2014 City and Keefe signed a Letter of Understanding to expand methods for facilitating deposits into Inmate Accounts; and

WHEREAS, in 2016 the total expenditure to Keefe since 2011 for all services exceeded \$100,000 (even though such expenditure is reimbursed from inmate accounts) and triggered requirements for City Council approval and a formal bid procedure, pursuant to Section 2.56.070 of the City of Chula Vista Municipal Code; and

WHEREAS, City staff recently conducted research to re-evaluate the services provided by Keefe and consider other providers offering equivalent services and determined that other service providers were either unwilling to contract with the City because of the Jail's small capacity, or offered services that were more expensive than those offered by Keefe. Consequently, City recommends waiving competitive bidding and contracting with Keefe, because the City's interests are materially better served in these circumstances, pursuant to Section 2.56.070.B.3 of the Chula Vista Municipal Code; and

WHEREAS, in consideration of these factors and more efficient contract management, City and Keefe agreed to combine the several existing service agreements from 2011, 2012 and 2014 into the single new Agreement now before the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it waives the competitive formal bid requirement for the Agreement with Keefe, because the City's interests are materially better served in these circumstances.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it approves the Consultant Services Agreement with Keefe Commissary Network to Provide Commissary Related Services and Products to the Inmates of the Chula Vista Police Department City Jail, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the Finance Director to execute same.

Presented by

Approved as to form by

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David Bejarano  
Chief of Police

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Glen R. Googins  
City Attorney