



# City of Chula Vista

## Staff Report

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**File#:** 15-0109, **Item#:** 16.

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- A. RESOLUTION NO. 2015-074 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE CITY TO PURCHASE UNIFORMS FROM ACE UNIFORMS
- B. RESOLUTION NO. 2015-075 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE CITY TO RECEIVE SERVICES FROM MERZ CONSTRUCTION COMPANY FOR CAPITAL IMPROVEMENT PROJECTS

### **RECOMMENDED ACTION**

Council adopt the resolutions.

### **SUMMARY**

Pursuant to Chula Vista Municipal Code 2.56.070 relating to contracts exceeding \$100,000, City staff is requesting to waive the competitive formal bid requirement and authorize staff to purchase uniforms from Ace Uniforms and to receive services from Merz Construction Company for capital improvement projects.

### **ENVIRONMENTAL REVIEW**

The Development Services Director has reviewed the proposed activities for compliance with the California Environmental Quality Act (CEQA) and has determined that the activities are not a "Project" as defined under Section 15378(b)(2) of the State CEQA Guidelines because they involve only the authorization to receive services from Merz Construction Company for capital improvement projects and to purchase uniforms from Ace Uniforms, all of which are on-going administrative and maintenance activities; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary. Although environmental review of the CIP projects that Merz Construction Company will be working on is not necessary at this time, once projects have been defined, environmental review will be required for each CIP and a CEQA determination completed prior to Merz Construction Company commencing any constructions activities.

### **BOARD/COMMISSION RECOMMENDATION**

Not Applicable.

### **DISCUSSION**

Chula Vista Municipal Code Section 2.56.070(B)(4) permits the City Council to waive formal competitive bidding requirements when a commodity or service is available from only one known source as the result of unique performance capabilities and manufacturing processes. City staff is requesting to waive the competitive formal bid requirement for Ace Uniforms and Merz Construction Company.

Ace Uniforms provides the City with uniform pants, uniform shirts, bulletproof vests, boots, duty belt gear and uniform alteration services. In the current fiscal year, the Police Department, Fire Department and Animal Care Facility anticipate to spend \$87,000, \$32,500 and \$6,500 respectively from Ace Uniforms. Cumulatively, the total cost from this vendor exceeds the \$100,000 spending threshold per the City's purchasing policies. City staff, including the Purchasing Division, have researched other uniform suppliers, but Ace Uniforms is currently the only local vendor that can meet both the uniform and tailoring requirements in the most expeditious manner. This is important because Ace is uniquely familiar with the tailoring requirements and has extensive experience tailoring the uniforms that they sell. Their vertical integration of the uniform purchase with the tailoring provides the best service to the City. There are other uniform vendors that sell uniforms, but since they are not within the San Diego County region, a separate tailor would need to be identified. Overall, the convenience for the staff (primarily sworn officers) who are getting new uniform garments is significantly enhanced by having a "one stop shop" for uniform outfitting. The Police Department, Fire Department and Animal Care Facility are currently working with the Purchasing Division to issue a Request for Bid (RFB) to competitively bid for uniform needs.

On January 13, 2015, City Council accepted \$80,000 grant funding from the U.S Department of Homeland Security to reinforce the front counter in the Police Department's lobby with bullet resistant glass and paneling and reinforce the Police Department's south facing door that leads onto Center Street with steel mesh screening covering blast resistant glass. After seeking multiple proposals, Merz Construction Company was selected for this facility security enhancement project. Since the Public Works Department also uses the services of Merz Construction Company for other capital improvement projects, the total cost from this vendor will exceed the \$100,000 spending threshold per the City's purchasing policies. Because of the City's experience in dealing with Merz Construction Company and the knowledge of their quality of service, the Police Department is requesting to waive the competitive formal bid requirement for the facility security enhancement project.

#### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site specific and consequently the 500-foot rule found in California Code of Regulations section 18704.2 (a)(1) is not applicable to this decision. Staff is not independently aware, nor has staff been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

#### **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The purchase of uniforms supports the goal of Operational Excellence by equipping city personnel with necessary resources to serve the community in a professional manner. The bullet resistant glass project supports the goal of Strong and Secure Neighborhoods by enhancing the security of the Police Facility and the readiness of law enforcement personnel.

#### **CURRENT YEAR FISCAL IMPACT**

Approval of Resolution A will authorize the City to purchase uniforms from Ace Uniforms.

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Approval of Resolution B will authorize the City to receive services from Merz Construction Company for capital improvement projects.

These costs are already included within the fiscal year 2014-15 budget, resulting in no additional fiscal impact.

**ONGOING FISCAL IMPACT**

There is no ongoing fiscal impact.

**ATTACHMENTS**

None.

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