

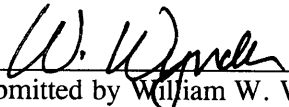


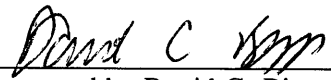
City of Carson

Report to Mayor and City Council

October 18, 2011
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 11-127 ESTABLISHING AND DECLARING THE POLICY OF THE CITY OF CARSON TO IDENTIFY, CONTACT, AND ENCOURAGE LOCAL ARCHITECTURAL, ENGINEERING, SURVEYING, AND OTHER TECHNICAL PROFESSIONALS TO SUBMIT PROPOSALS FOR PUBLIC WORKS AND PROFESSIONAL SERVICES CONTRACTS


Submitted by William W. Wynder
City Attorney


Approved by David C. Biggs
City Manager

I. SUMMARY

This item is on the agenda as an outgrowth of concerns raised by members of the City Council, especially Councilmember Santarina, that a formal policy be promulgated declaring the policy and intent of the city of Carson to identify, contact, and encourage Carson-based architectural, engineering, surveying, and other technical professionals to submit proposals, either individually or in combination with other technical professionals, in response to various notices inviting the same for certain professional services or other public works contract offerings issued in the city of Carson.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 11-127, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING AND DECLARING THE POLICY OF THE CITY OF CARSON TO REQUIRE THE IDENTIFICATION, SOLICITATION, AND INVITATION OF CARSON-BASED ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER TECHNICAL PROFESSIONALS TO SUBMIT PROPOSALS, EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER TECHNICAL PROFESSIONALS, IN RESPONSE TO VARIOUS NOTICES INVITING PROPOSALS FOR CERTAIN PROFESSIONAL SERVICES AND OTHER PUBLIC WORKS CONTRACTS ISSUED BY THE CITY OF CARSON."

III. ALTERNATIVES

1. TAKE no action on the proposed resolution.
2. TAKE another action deemed reasonable provided the same is consistent with the law.

IV. BACKGROUND

The City Council has expressed concern that local technical professional services firms, with expertise in such areas as civil, electrical, or chemical engineering services, surveying, architectural, and other technical professional services, need to be identified by staff, and contacted to encourage their participation, either individually or in concert with others, in responding to various notices inviting proposals for these kinds of professional or public works kinds of services. While staff already has an informal administrative practice of making contact with such professionals, it seems advisable to create a formal policy and an established protocol to accomplish this outreach effort.

While certain federally-funded projects prohibit granting any preference to these Carson-based technical professionals, to the maximum extent afforded by law, it is desirable to establish a policy and a protocol to, at a minimum, identify, contact, and invite these technical professionals to participate in the "notice inviting proposals" process for certain professional services and other public works contracts which are issued, from time to time, by the city of Carson.

To that end, the Office of the City Attorney, in consultation with engineering staff, recommend the following policy and protocol:

1. Whenever staff proposes to release a notice inviting proposals ("RFP" or "RFQ") for professional services or other public works contracts involving technical expertise including, but not limited to, engineering, surveying, architectural, and other technical professionals, staff shall, prior to issuing such notice, attempt, in good faith, to identify any and all Carson-based technical professionals who may be qualified to respond, either in whole or as part of a professional team, to such notice inviting bids for such professional and technical services; *and*
2. When such notice inviting proposals ("RFP" or "RFQ" or public works contract) is formally issued, staff shall forward the notice to all such Carson-based technical professionals identified from staffs' good faith efforts above; *and*
3. When such notice inviting proposals ("RFP" or "RFQ" or public works contract) is formally issued, staff shall include in such notice the known names and last know addresses of all such Carson-based technical professionals so that other professionals may consider partnering with such Carson-based technical professionals in submitting bids in response to a notice inviting the same; *and*

4. When, in the professional judgment of city staff, competing proposals for technical professional services submitted to the city in response to an RFP, RFQ, or notice inviting proposals for a public works contract are otherwise equally qualified in terms of professional expertise, cost, breadth of technical experience, and applicable requirements of law, then in such eventuality, it shall be the stated policy of the city of Carson to award a contract for such technical professional services to a Carson-based professional; *provided, however, that*
5. Notwithstanding the foregoing, the City Council acknowledges and recognizes that each bid for technical and professional services submitted in response to any RFP, RFQ, or public works contract shall be evaluated in accordance with the requirements of the municipal code, federal law, and/or state law, and that Carson-based technical professionals shall *not* be awarded a contract for professional services or other public works contract based solely on their status as a Carson-based technical professional.

V. FISCAL IMPACT

NONE is anticipated.

VI. EXHIBITS

Resolution No. 11-127 (pgs. 4-5)

Document1

Prepared by: William W. Wynder, City Attorney

TO:Rev091911

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by City Council

Date _____ Action _____

RESOLUTION NO. 11-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING AND DECLARING THE POLICY OF THE CITY OF CARSON TO REQUIRE THE IDENTIFICATION, SOLICITATION, AND INVITATION OF CARSON-BASED ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER TECHNICAL PROFESSIONALS TO SUBMIT PROPOSALS, EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER TECHNICAL PROFESSIONALS, IN RESPONSE TO VARIOUS NOTICES INVITING PROPOSALS FOR CERTAIN PROFESSIONAL SERVICES AND OTHER PUBLIC WORKS CONTRACTS ISSUED BY THE CITY OF CARSON

WHEREAS, the City Council of the city of Carson desires to encourage local technical professionals to participate in the notice inviting proposals ("RFP" or "RFQ") for certain professional services issued by the city from time to time; and

WHEREAS, the City Council of the city of Carson has expressed concern that local professional firms, with expertise in engineering, surveying, architecture, and other technical professionals need to be identified by staff, and contacted to encourage their participation, either individually or in concert with others, in responding to various notices inviting proposals ("RFP" or "RFQ") for these kinds of professional services; and

WHEREAS, while staff has had an existing informal administrative practice of making contact with such professionals, it seems advisable to create a formal policy and an established protocol to accomplish this notification; and

WHEREAS, while certain federally-funded projects prohibit special preferences for Carson-based technical professionals, to the maximum extent afforded by law, it is desirable to establish a policy and a protocol to, at a minimum, identify, contact, and invite these technical professionals to participate in the notice inviting proposals ("RFP" or "RFQ") process for certain professional services contract(s) issues, from time to time, by the city of Carson.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the city of Carson, California, hereby declares it to be the policy of the city of Carson to take the following steps to identify, contact, and encourage Carson-based architectural, engineering, surveying, and other technical professionals to submit bids, either individually or in combination with other technical professionals, in response to various notices inviting proposals ("RFP" or "RFQ") for certain professional services issued in the city of Carson:

1. Whenever staff proposes to release a notice inviting proposals ("RFP" or "RFQ") for professional services or other public works contracts involving technical expertise including, but not limited to, engineering, surveying, architectural, and other technical professionals, staff shall, prior to issuing such notice, attempt, in

good faith, to identify any and all Carson-based technical professionals who may be qualified to respond, either in whole or as part of a professional team, to such notice inviting bids for such professional and technical services; **and**

2. When such notice inviting proposals ("RFP" or "RFQ" or public works contract) is formally issued, staff shall forward the notice to all such Carson-based technical professionals identified from staffs' good faith efforts above; **and**
3. When such notice inviting proposals ("RFP" or "RFQ" or public works contract) is formally issued, staff shall include in such notice the known names and last known addresses of all such Carson-based technical professionals so that other professionals may consider partnering with such Carson-based technical professionals in submitting bids in response to a notice inviting the same; **and**
4. When, in the professional judgment of city staff, competing proposals for technical professional services submitted to the city in response to an RFP, RFQ, or notice inviting proposals for a public works contract are otherwise equally qualified in terms of professional expertise, cost, breadth of technical experience, and applicable requirements of law, then in such eventuality, it shall be the stated policy of the city of Carson to award a contract for such technical professional services to a Carson-based professional; **provided, however, that**
5. Notwithstanding the foregoing, the City Council acknowledges and recognizes that each bid for technical and professional services submitted in response to any RFP, RFQ, or public works contract shall be evaluated in accordance with the requirements of the municipal code, federal law, and/or state law, and that Carson-based technical professionals shall **not** be awarded a contract for professional services or other public works contract based solely on their status as a Carson-based technical professional.

PASSED, APPROVED and ADOPTED this 18th day of October, 2011.

Mayor Jim Dear

ATTEST:

City Clerk Helen S. Kawagoe, MMC

APPROVED AS TO FORM:

City Attorney