

REPORT TO THE CITY COUNCIL

February 13, 2020

FROM: DOUGLAS SLOAN, City Attorney
City Attorney's Office, Code Enforcement

SUBJECT

..Title

Consider and provide direction to return concerning abatement contract or bringing abatement services in house.

..Body

RECOMMENDATION

Staff requests the Council consider the option of keeping these services in-house before making a determination to award the abatement services contract to Sequoia; then return for final approval on March 19.

EXECUTIVE SUMMARY

Pursuant to Council direction, a Request for Proposals (RFP) was re-advertised to solicit bids for abatement services. Sequoia was the only business that submitted a proposal to the City. The Evaluation Committee has agreed to award the requirements contract to Sequoia in an amount not to exceed \$350,000, for one year with the option of four, one-year extensions at the set rates provided therein, which include prevailing wage.

The City Attorney's Office, Code Enforcement Division, is requesting Council consider the option of maintaining these services in-house, which will require the purchase of equipment and hiring staff.

BACKGROUND

Code Enforcement enforces various ordinances of the Fresno Municipal Code, including but not limited to, ordinances which address vacant buildings, vacant lots, general blight and dilapidated structures. Specifically, abatement services will address weeds and vacant structures which present a public safety threat, as well as properties that constitute blight or attractive nuisance when the responsible property owner has demonstrated they are either unwilling or unable to bring the property into compliance. Staff works to ensure cost recovery of funds through various means, including liens on the property and coordination with the County of Fresno tax roll collection process.

In prior years, the City has utilized multiple contractors for the proposed Abatement services. To improve timeliness and efficiency, and to streamline the abatement request process, the Code Enforcement Division worked through the Purchasing

Division to produce a second public bid on October 25, 2019, with a filing deadline of November 12, 2019, seeking multiple contractors with the capacity and experience to perform Abatement services. Only one bid was submitted within the published deadline. After the bid was submitted and the deadline to file had passed, the Evaluation Committee reviewed and discussed the bid. The Evaluation Committee was comprised of four individuals as outlined in the Committee Report (Attachment A). The Evaluation Committee members evaluated the proposer on: 1) cost as shown on the proposal form; 2) the ability to meet the stated service requirements; 3) past performance and experience with the City; 4) conformance to the terms and conditions of the RFP; and 5) other related information provided by the proposer.

While the RFP was specifically designed to determine set rates for 21 various Abatement services, the Evaluation Committee sought further information from the proposer to clarify issues raised by the Committee as it pertained to prevailing wage rates. The proposer provided the requested information to the Evaluation Committee. The Evaluation Committee also sought clarification regarding technical accounting requirements. The Evaluation Committee met again and discussed the set rates as outlined in Attachment A. After receiving all information, the Evaluation Committee met a third time and decided to recommend awarding the contract for Abatement services to Sequoia Western.

However, in light of the need for the City to pay prevailing wage and thereby increasing the budget for outsourcing abatement services, combined with the proven need to expand the City's abatement services, staff is requesting the Council consider creating an in-house abatement services team. The City Attorney's Office, Code Enforcement Division, evaluated and determined an in-house abatement services program may be more cost beneficial for the City as opposed to contracting this work out to private companies, with the exception of the initial start-up costs associated with purchasing new equipment in the first year. All vehicles and heavy operating equipment is procured, maintained, and repaired by the Department of Transportation, Fleet Management Division (Fleet). Code Enforcement is currently in the process of working with Fleet to obtain the accurate costs for all necessary equipment.

This option will also require personnel costs associated with hiring new employees, including: Heavy Equipment Operator, Property Maintenance Lead Worker, and Laborers. In addition, there will be monthly fees for storage and maintenance.

ENVIRONMENTAL FINDINGS

This item is not a project as defined by the California Environmental Quality Act.

LOCAL PREFERENCE

Local preference was not implemented due to the fact the only bidder is a local businesses.

FISCAL IMPACT

Funding appropriations are included in the Code Enforcement FY2020 budget.

Attachments:

Attachment A – Evaluation Committee Report