

## Legislation Details (With Text)

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**Type:** RESOLUTIONS      **Status:** Passed

**File created:** 6/23/2022      **In control:** City Council

**On agenda:** 8/1/2022      **Final action:** 8/1/2022

**Title:** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE CITY MANAGER TO EXECUTE A SIXTH AMENDMENT WITH DC ELECTRIC GROUP, INC. TO EXTEND THE CONTRACT TO PROVIDE ROUTINE AND EMERGENCY TRAFFIC SIGNAL, STREET LIGHT AND LIGHTED CROSSWALK MAINTENANCE AND UNDERGROUND SERVICES ALERT (USA) LOCATING AND MARKING SERVICES FOR FISCAL YEAR 2022/23, AND ADD FUNDING IN AN AMOUNT NOT TO EXCEED \$200,000 FOR FISCAL YEAR 2022/23 AND AN ADDITIONAL \$79,029 FOR SERVICES PROVIDED BY DC ELECTRIC FOR FISCAL YEAR 2017/18 THROUGH 2021/22, BRINGING THE TOTAL COMPENSATION UNDER THE AGREEMENT NOT TO EXCEED \$1,319,837; AND (2) RATIFYING \$79,029 IN PAYMENTS PREVIOUSLY MADE TO DC ELECTRIC FOR SERVICES PROVIDED THROUGH FISCAL YEAR 2021/22 THAT EXCEEDED THE COMPENSATION PREVIOUSLY AUTHORIZED BY THE CITY COUNCIL

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RES 2022-120 DC Electric Amendment Signal & Street Light Maintenance, 2. AMN #6 DC Electric w Exhibit B

Date	Ver.	Action By	Action	Result
8/1/2022	1	City Council	adopted	Pass

**PREPARED BY:** MICHELE YOST      **DATE OF MEETING:** 08/01/2022

**SUBJECT:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE CITY MANAGER TO EXECUTE A SIXTH AMENDMENT WITH DC ELECTRIC GROUP, INC. TO PROVIDE ROUTINE AND EMERGENCY TRAFFIC SIGNAL, STREET LIGHT AND LIGHTED CROSSWALK MAINTENANCE AND UNDERGROUND SERVICES ALERT (USA) LOCATING AND MARKING SERVICES, FOR FISCAL YEAR 2022/23 IN AN AMOUNT NOT TO EXCEED \$200,000 WITH A TOTAL COMPENSATION UNDER THE AGREEMENT NOT TO EXCEED \$1,319,837 AND (2) RATIFYING \$79,029 IN PAYMENTS PREVIOUSLY MADE TO DC ELECTRIC UNDER THE AGREEMENT FOR SERVICES PROVIDED THROUGH FISCAL YEAR 2021/22

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

**FY 2021-2023 Council Priority Workplan Compliance Statements:**

Traffic signal, street light and lighted crosswalk maintenance services are inherent in improving traffic and pedestrian safety through enforcement, outreach, and environmental design which is an adopted policy item contained in the FY 2021-2023 City Council Adopted Workplan, amended on September 20, 2021 through Resolution 2021-128.

### **CEQA Compliance Statement**

The maintenance and repair of existing facilities, like traffic signal maintenance are categorically exempt under CEQA pursuant to 14 CCR section § 15301.

### **BACKGROUND**

The Public Works Department Maintenance Division is responsible for the operations and maintenance of 33 signalized intersections, 18 sets of crosswalk flashing beacons as well as over 200 street lights. Over the past five (5) years, DC Electric has provided electrical maintenance services to the City of San Pablo.

DC Electric Group, Inc. became engaged with the City of San Pablo through a procurement by the City of Orinda. The Municipal Code Chapter 3.16.110, Section E, Cooperative Purchasing allows the City to join other government agencies for the joint purchase of equipment, materials, supplies and services. The City may also buy directly from a vendor at a price established by competitive bidding by another public jurisdiction even if the City had not joined with that public agency in a cooperative purchase.

On September 5, 2017 through Resolution 2017-173, City Council authorized the City Manager to enter into an agreement with DC Electric Group, Inc. to provide routine preventive maintenance services, emergency traffic signal, street light and lighted crosswalk maintenance services, and underground service alert (USA) locating and marking services. The resolution approved a contract with a one (1) year term and with four one-year renewal options in the amount of \$200,000 per year with a 2% annual escalation and a total authorization not to exceed \$1,040,808 over the five fiscal years. Four amendments were executed over the course of the agreement for Fiscal Years 2018/19 through 2021/22.

Specifically, the payments made to DC Electric for electrical maintenance over the past five years are as follows.

FY 2017/18	\$188,110
FY 2018/19	\$179,672
FY 2019/20	\$172,377
FY 2020/21	\$377,401
FY 2021/22	\$202,277
Total	\$1,119,837

As set forth in the table above, electrical maintenance costs were higher than anticipated in FY 2020/21 and FY 2021/22, and resulted in \$79,029 over the maximum compensation amount as set forth in the amended agreement. This unanticipated increase was a result of an increase in the number of accidents within the City street right-of-way that resulted in the loss of traffic signals, street lights and signal boxes and required the expertise of an electrical contractor.

Additionally, staff seeks approval to amend the contract to extend services through June 30, 2022 and add funding for FY2022/23. The contract with DC Electric Group, Inc. was set to terminate at the end of FY2021/22. However due to the COVID-19 pandemic, staff was unable to go out for an RFP

due to staffing, logistics and unforeseen circumstances brought on by the pandemic. A fifth amendment was executed on June 29, 2022 to solely extend the time of the contract from June 30, 2022 to August 15, 2022 to allow this item to be brought to City Council.

It is staff's intent to solicit proposals for this agreement during the coming year and staff anticipates needing six months to one year to complete the competitive bidding process.

Accordingly, staff recommends that the City Council adopt the attached resolution to do all of the following:

- 1) Authorize the City Manager to execute a sixth amendment to the agreement, in a form to be approved by the City Attorney that is substantially similar to the contract attached to this report, to provide that (a) the agreement will terminate on June 30, 2023, (b) add \$79,029 in additional funding for the payments previously made to DC Electric for services provided in over the life of the contract from FY2017/18 through FY2021/22 that exceeded the maximum compensation under the agreement, and (c) add \$200,000 in funding for services in FY2022-23, bringing the total maximum compensation under the contract as amended to \$1,319,837.
- 2) Ratify the \$79,029 in payments previously made to DC Electric for services provided through FY2021/22 under the agreement that exceed the \$1,040,808 in compensation previously authorized by City Council in Resolution 2017-173.

#### **FISCAL IMPACT**

The contract amount for FY2022/23 is not to exceed \$200,000. Funding is available in the Fiscal Year 2022/2023 City of San Pablo Operating Budget as shown in the table below.

Action	Fund	Account	Amount
Approve	Street Maintenance - Professional Services	200-3710-43600	\$174,250
Approve	Street Lighting Landscape District - Professional Services	237-3610-43600	\$25,750
		Total	\$200,000

#### **Attachments:**

Sixth Amendment to Agreement for Traffic Signal, Street Light, and Lighted Crosswalk Maintenance Services between City of San Pablo and DC Electric Group, Inc.