



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MARCH 16, 2021

FROM: PUBLIC WORKS DEPARTMENT WARDS: 1

SUBJECT: THIRD AMENDMENT TO SERVICES AGREEMENT WITH SERVICE FIRST CONTRACTORS NETWORK DBA SERVICE FIRST, OF SANTA ANA, CALIFORNIA, FOR DOWNTOWN AREA WATER FEATURES LOCATED ON MAIN STREET MALL IN THE AMOUNT OF \$37,300 FOR A TOTAL CONTRACT NOT TO EXCEED \$151,600 FOR SERVICES THROUGH JUNE 30, 2022

ISSUE:

Approve the Third Amendment to Services Agreement with Service First Contractors Network dba Service First, Santa Ana, California, for Downtown Area Water Features Located on Main Street Mall in the amount of \$37,300 for a total contract of \$151,600 for services through June 30, 2022 in accordance with Purchasing Resolution 23256, Section 702(g).

RECOMMENDATIONS:

That the City Council:

1. Approve the Third Amendment to the Services Agreement with Service First Contractors Network dba Service First, of Santa Ana, California, for a term of July 1, 2021 through June 30, 2022 in the amount of \$37,300 for a total contract not to exceed \$151,600, in accordance with Purchasing Resolution 23256, Section 702(g); and
2. Authorize the City Manager, or his designee, to execute the Third Amendment to Services Agreement with Service First Contractors Network dba Service First, including making minor and non-substantive changes.

BACKGROUND:

On March 5, 2018, the City of Riverside posted a bid in an effort to solicit proposals from qualified pool and fountain maintenance contractors to manage and maintain the water features located on the Main Street Mall. Four proposals were received and Service First, of Santa Ana, California, was determined to be the lowest bidder at a total annual cost of \$33,000. As such, the Public Works Department entered into a Maintenance Services Agreement with Service First for the maintenance of the downtown area water features located on the Main Street Mall with a term ending June 30, 2019. The original agreement provided up to two, one-year extensions and included a contingency of \$5,500 for unexpected repairs or damages for a total contract amount not to exceed \$38,500 per year. Services include routine maintenance of the water features such

as regular cleaning, testing and correcting of the water chemistry by providing required chemicals, ongoing cleaning of the filter systems and maintenance of the pumps and motors as needed.

On April 2, 2019, the City Council approved the First Amendment to the agreement and authorized the City Manager, or his designee, to make minor and non-substantive changes including extensions provided for in the original agreement. Staff reduced the contingency from \$5,500 to \$4,300 and the First Amendment was executed on April 3, 2019. The Second Amendment to the agreement was executed on March 10, 2020 under the approval for the First Amendment that included authority to execute extensions provided for in the original agreement. The Second Amendment to the agreement specified an end date of June 30, 2021 to services provided under the agreement.

In an effort to maintain fiscal stability throughout the COVID-19 pandemic in an otherwise unpredictable environment, the City's Finance Department has considered contract extensions through June 30, 2022 if a vendor agrees to maintain current pricing at the current level of services throughout the extended term. This exception to competitive procurement is provided for under Section 702(g) of Purchasing Resolution 23256 which allows for services to "be Procured from a Contractor who offers the same and or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement or negotiations conducted by the City or another public agency". Since Service First was agreeable and the Public Works Department is satisfied with their performance, staff recommends amending the Agreement to extend the term.

There is no change in compensation associated with the proposed Third Amendment.

The Purchasing Manager concurs that the recommendation to approve is in compliance with Purchasing Resolution 23256.

FISCAL IMPACT:

The fiscal impact of this action is \$37,300. Sufficient funds are available in Public Works, General Fund, Forestry & Landscape division Professional Services account number 4110110-421000.

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachments: Third Amendment