



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: NOVEMBER 8, 2022**

**FROM: PUBLIC WORKS DEPARTMENT      WARD: 1**

**SUBJECT: SERVICES AGREEMENT FOR MAINTENANCE OF DOWNTOWN AREA WATER FEATURES LOCATED ON MAIN STREET MALL WITH SERVICE FIRST OF SANTA ANA, CALIFORNIA, FOR A TERM THROUGH JUNE 30, 2025, IN THE AMOUNT OF \$136,000 FOR THE INITIAL TERM, WITH THE OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR TERMS**

## **ISSUE:**

Approve a Services Agreement for Maintenance of Downtown Area Water Features Located on Main Street Mall with Service First of Santa Ana, California, for a term through June 30, 2025, in the amount of \$136,000 for the initial term, with the option to extend for two additional one-year terms.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve a Services Agreement for Maintenance of Downtown Area Water Features Located on Main Street Mall with Service First of Santa Ana, California, for a term through June 30, 2025, in the amount \$136,000 for the initial term, with the option to extend for two additional one-year terms;
2. Authorize the City Manager, or designee, to execute the Services Agreement, including making minor and non-substantive changes; and
3. Authorize the City Manager, or designee, to execute two optional one-year term extensions to the Services Agreement provided that the annual amounts are included in the approved budget.

## **DISCUSSION:**

On February 3, 2022, the City of Riverside posted a bid soliciting proposals from qualified pool and fountain maintenance contractors to manage and maintain the water features located on the Main Street Mall. No responses were received. On May 19, 2022, staff reached out to three contractors requesting quotes for service. Two did not respond to the request, but Service First of Santa Ana, California, responded with a quote for service. The City currently contracts with Service First for maintenance of Downtown area water features.

Service First is a qualified, licensed contractor who will provide all necessary management skills, labor, equipment, materials, and supplies needed to properly manage and maintain three individual water features located along the Main Street Pedestrian Mall in Downtown Riverside between Tenth and Sixth Streets. Minimum service requirements shall be three times per week. Services provided will 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.

The proposed agreement formalizes the terms under which the City and Service First have worked on a month-to-month basis since July 1, 2022, which will extend through June 30, 2025.

Section 702(w) of Purchasing Resolution 23812 allows for an exception to competitive procurement which states, “Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required in any of the following circumstances: ...(w) When approved by the Manager, Services not subject to the bidding requirements of Section 1109 of the City Charter, which are of such a nature that suitable technical or performance specifications describing them are not readily available and cannot be developed in a timely manner to meet the needs of the City, in which case the Manager shall be authorized to negotiate with any Person or Persons for the Procurement thereof upon the price, terms and conditions need by the Manager to be in the best interest of the City and in doing so may utilize Informal Procurement or Negotiated Procurement process”.

The Purchasing Manager concurs that the recommendation to approve is in compliance with Purchasing Resolution 23812.

### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 2 – Community Well-Being** and **Goal 2.3 – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide.**

1. **Community Trust** – Responsible management of the city’s water features helps maintain public health and safety by ensuring the water is free from harmful bacteria.
2. **Equity** – Approval of this action benefits all who live near or travel through the Main Street Pedestrian Mall.
3. **Fiscal Responsibility** – Maintaining city owned water features supports Public Works’ efforts to minimize inefficiencies.
4. **Innovation** – Public Works is focused on replacing old, outdated, failing equipment with the newest technologies that allow us to maximize our sustainability efforts.
5. **Sustainability & Resiliency** – The water features all utilize a recirculating water system helping to reduce the use of water, while still providing three relaxing focal points along the Main Street Pedestrian Mall for all to enjoy. This allows Public Works to properly manage the city’s water resources while being resilient during changing climate conditions.

**FISCAL IMPACT:**

The total fiscal impact of the 3-year agreement is \$136,000 with \$43,885 for FY 2022/23. Sufficient funds are budgeted and available in the General Fund, Urban Forestry & Landscape, Professional Services account 4110110-421000. Appropriations for future fiscal years will be included in the Department's Budget submissions for those fiscal years to be presented to the City Council for approval.

Prepared by: Gilbert Hernandez, Public Works Director  
Certified as to  
availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer  
Approved by: Kris Martinez, Assistant City Manager  
Approved as to form: Phaedra A. Norton, City Attorney

Attachment: Services Agreement