



*City of Arts & Innovation*

# City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: NOVEMBER 15, 2022

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARDS: 1

SUBJECT: SERVICES AGREEMENT FOR SANITATION SERVICES FOR THE 2022 FESTIVAL OF LIGHTS WITH SOUTHWEST SITE SERVICES OF RIVERSIDE, CALIFORNIA, FOR A TERM ENDING ON JANUARY 31, 2023, IN AN AMOUNT NOT TO EXCEED \$66,569

## **ISSUES:**

Approve a Services Agreement for Sanitation Services for the 2022 Festival of Lights with Southwest Site Services of Riverside, California, for a term ending on January 31, 2023, in an amount not to exceed \$66,569.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the Services Agreement for Sanitation Services for the 2022 Festival of Lights with Southwest Site Services of Riverside, California, for a term ending on January 31, 2023, in an amount not to exceed \$66,569;
2. Authorize the City Manager, or designee, to execute the Services Agreement, including making minor and non-substantive changes.

## **BACKGROUND:**

The City of Riverside will host the 30th Annual Festival of Lights (Festival) Switch-On Ceremony on Friday, November 25, 2022, and the 2022 Festival of Lights from Saturday, November 26, 2022 through Sunday, December 31, 2022. The Festival attracts visitors from the community, the region and beyond.

## **DISCUSSION:**

An informal bid request was emailed to three companies soliciting estimates to provide portable restrooms, hand wash stations, and bike rails for safety access lanes for the Switch-On Ceremony, and portable restrooms and hand wash stations for the duration of the Festival. Procurement was processed as an informal bid, as based on 14-year history the cost was not

expected to exceed \$50,000.

Two responses were received, and the lowest bid was from Southwest Site Services of Riverside, California. A second bid was received from Andy Gump in the amount of \$116,692.79 for these services. The proposed agreement is an amount not to exceed \$66,569. When the proposed Service Agreement was submitted to Southwest Site Services for signatures, the City was notified that Southwest Site Services was bought by United Site Services.

Due to the urgency of procuring these services for the Festival, staff identified a potential cooperative agreement that could be used to help meet the tight timeline. A cooperative agreement can be used to facilitate the procurement process when there is an urgent need or a short timeframe to procure services. Staff contacted NIU Toilet, the provider listed on the Sourcwell cooperative agreement, to request costs to rent portable restrooms and bike rails. NIU Toilet was unable to provide this service because their units are for purchase only with no rental option. Staff also requested quotes from additional companies as listed below in an effort to obtain a third quote. The companies were not able to provide the services for the reasons identified below.

Company	Response
Rightway Site Services	Unable to provide bike rails All other requested services can be provided
SoCal Industries	Unable to provide required insurance naming the City as additionally insured
United Rentals	Unable to provide service to this area

Because the Festival is an outdoor, community event, portable restrooms are needed as there are no permanent public restrooms. Bike rails are needed along the Festival route to ensure safety access lanes are identified. The portable restrooms and bike rails are an urgent service required to ensure a safe event for the community.

Per Purchasing Resolution 23914, Section 702(w) states, “Competitive Procurements 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 is in compliance with Purchasing Resolution 23914, Section 702(w).

### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 1 – Arts, Culture and Recreation** and **Goal 1.2 - Enhance equitable access to arts, culture and recreational service offerings and facilities.**

The item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Festival of Lights provides amenities, such as restrooms, to provide safe and equitable access for visitors and residents.

2. **Equity** – The 2022 Festival of Lights is a free community event. Programing for the event will extend to areas outside the event footprint with department programs at parks and community centers.
3. **Fiscal Responsibility** – Logistics and program development for the Festival of Lights event consider the most cost-effective services to provide a safe and positive experience for visitors.
4. **Innovation** – Festival of Lights event has integrated innovative elements throughout the event footprint and considered new and innovative services and programs where available.
5. **Sustainability & Resiliency** – These services will enhance the experience of the Festival of Lights. Due to Covid-19 the event has been cancelled or limited for the last two years and these services allow the community to come together and celebrate our signature event in a safe environment.

### **FISCAL IMPACT:**

The total fiscal impact of the action is \$66,569. The funds are budgeted and available in the General Fund, CD-Arts & Cultural Affairs, Festival of Lights account number 2850000-453225.

Prepared by: Chris Christopoulos, Acting Community & Economic Development Director

Certified as to availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Phaedra A. Norton, City Attorney

Attachments: Services Agreement with Southwest Site Services