

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, WAIVING THE FORMAL BIDDING  
4 PROVISIONS OF SECTION 1109 OF THE CHARTER OF THE CITY OF  
5 RIVERSIDE UNDER THE UTILITIES PROJECT EXCEPTION THEREIN  
6 FOR THE SELECTION OF A QUALIFIED PANEL OF CONTRACTORS  
7 TO SUPPLEMENT RIVERSIDE PUBLIC UTILITIES' WORK FORCE  
8 FOR CONSTRUCTION PROJECTS UP TO \$500,000 ON AN AS-NEEDED  
9 BASIS

10 WHEREAS, the Energy Delivery Contractors' Panel ("Panel") was first established by the  
11 City of Riverside ("City") in 1999 to streamline the bidding process for construction work to help  
12 staff address the increasing demand for such work. At that time, existing Energy Delivery resources  
13 had a difficult time meeting the customers' timeframes for electrical service, constructing or  
14 relocating electrical facilities required by Public Works projects, continuing the capital improvement  
15 program and restoring service to electrical outages; and

16 WHEREAS, the contractors on the Panel are pre-qualified to bid on construction projects  
17 under a Master Agreements for Electrical Utility Construction Work for Various City Locations on  
18 an As-Needed Basis ("Master Agreement"). The Master Agreement incorporates all contractual  
19 requirements including bonding and insurance. When Riverside Public Utilities ("RPU") requires  
20 work by a contractor, request for bids are sent out to all Panel members. Bids are generally returned  
21 and opened within two weeks. Each bid is awarded to the lowest responsive and responsible bidder  
22 by the Purchasing Division; and

23 WHEREAS, RPU only uses the Panel for projects which are less than \$500,000; projects in  
24 excess of this amount are bid through the City's formal competitive bidding process. Through the  
25 Panel, RPU uses accelerated competitive bidding to pre-qualified contractors that have executed the  
26 Master Agreement that allow bids to be solicited, submitted, evaluated and the construction project  
27 to be awarded to the lowest responsible and responsive bidder within as little as fifteen days as  
28 compared to the fifty-three days, minimum, required for formal competitive bidding. The Panel has  
been successful in promoting the timely delivery of electric projects throughout the City; and

1 WHEREAS, any contractor can join the Panel if the contractor meets the requirements of and  
2 executes the Master Agreement. RPU periodically circulates and advertises for requests for  
3 proposals to add additional members to the Panel; and

4 WHEREAS, City Charter section 1109 provides that the City Council may, by at least five  
5 affirmative votes, waive the formal bidding requirements for projects for the construction and/or  
6 improvement of any public utility operated by the City. City Charter section 1202(b) provides that  
7 the Board has the duty (i) to authorize, and let public works contracts, for any improvements to the  
8 public utility system when the amount is in excess of \$50,000 and (ii) to authorize the City Manager  
9 to execute contracts or issue purchase orders for the same; and

10 WHEREAS, prior to issuing purchase orders for construction projects through the Panel,  
11 staff will obtain Board approval for construction projects exceeding \$50,000 (including the cost of  
12 design, construction, supplies and all internal staff costs). If the cost of construction of a project  
13 exceeds \$500,000 during the course of construction, the Board and City Council must approve such  
14 exceedance.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
16 California, based upon the reasons set forth herein and in the accompanying staff report and  
17 presentation, as follows:

18 Section 1: The formal bidding requirements of Section 1109 of the Charter of the City of  
19 Riverside are hereby waived under the utilities project exception stated therein.

20 Section 2: The establishment of an Electric Utility Contractors Panel is approved.

21 Section 3: The City Manager, or his designee, is authorized to issue purchase orders for the  
22 award of works of public construction to the lowest responsive and responsible bidder for  
23 construction not to exceed \$500,000 for projects advertised for bid under the Electric Utility  
24 Contractors Panel, if the expenditure has been approved by either the Board of Public Utilities or the  
25 City Council, as applicable.

1 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
Mayor of the City of Riverside

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Attest:

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\_\_\_\_\_  
City Clerk of the City of Riverside

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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote, to wit:

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Ayes:

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Noes:

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Absent:

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Abstain:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
City Clerk of the City of Riverside

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