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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, WAIVING THE FORMAL BIDDING PROVISIONS OF SECTION 1109 OF THE CHARTER OF THE CITY OF RIVERSIDE UNDER THE CITY FORCES EXCEPTION FOR THE PURCHASE OF HVAC EQUIPMENT TO BE INSTALLED BY CITY FORCES AT CITY HALL

WHEREAS, the one aging water-cooled chiller at City Hall has been in service since 2005 and has reached the end of its 15-year life expectancy; and

WHEREAS, the chiller has developed multiple leaks, resulting in downtime and costly repairs, and it is unable to run at full load capacity; and

WHEREAS, Charter section 1109 provides “The City Council, without advertising for bids, or after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager, the work in question may be performed better or more economically by the City with its own employees or the supplies or materials may be purchased more economically on the open market, and after the adoption of a resolution to that effect by at least five affirmative votes of the City Council may proceed to have said work done or said supplies or materials purchased in the manner stated, without further observance of the provisions of this section;” and

WHEREAS, the City has internal staff that is qualified and capable of installing the new chiler, which would be a significant discount to hiring outside forces; and

WHEREAS, the City has the opportunity to purchase the necessary equipment through cooperative purchasing known as OMNIA Partners; and

WHEREAS, all contracts available through OMNIA Partners have been competitively solicited and publicly awarded by a government entity serving as the lead agency while utilizing industry best practices and processes; and

WHEREAS, this cooperative purchasing contract has been competitively bid nationally and meets the City’s procurement requirements under Purchasing Resolution 23256, Section 602 (e), which provides that competitive procurement through the formal and informal procurement process

1 shall not be required when “Cooperative Purchasing is available and undertaken or when Good can  
2 be obtained through Federal, State and/or other public entity pricing contracts or price agreements.”

3 WHEREAS, the City has received a quote from NSWC Mechanical Service, LLC to provide  
4 the chiller for \$173,681 through the OMINA Partners cooperative purchasing program; and

5 WHEREAS, to competitively bid the purchase and installation of the chiller in accordance  
6 with Charter section 1109 would cost an estimated \$250,000 to \$300,000 and require additional  
7 staff time from multiple departments to monitor and administer the procurement and resulting  
8 contract; and

9 WHEREAS, by purchasing the chiller and installing with City employees, the City will save  
10 approximately \$150,000; and

11 WHEREAS, City Charter section 1109 provides that the City Council may, by at least five  
12 affirmative votes, waive the formal bidding requirements for projects which can be done performed  
13 better or more economically by the City with its own employees or the supplies or materials may be  
14 purchased more economically on the open market; and

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 City forces exception stated therein.

20 Section 2: The City Manager, or his designee, is authorized to issue purchase orders and  
21 execute agreements for the purchase of the chiller from NSWC Mechanical Service, LLC and the  
22 General Services Department shall oversee the installation of the chiller by City employees.

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1 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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\_\_\_\_\_  
PATRICIA LOCK DAWSON  
Mayor of the City of Riverside

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Attest:

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\_\_\_\_\_  
DONESIA GAUSE-ALDANA  
City Clerk of the City of Riverside

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I, Donesia Gause-Aldana, 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 \_\_\_\_\_, 2021, 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 \_\_\_\_\_, 2021.

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\_\_\_\_\_  
DONESIA GAUSE-ALDANA  
City Clerk of the City of Riverside

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CA 21-0291 RMS 04/07/2021

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