



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JUNE 22, 2021

FROM: CITY CLERK'S OFFICE WARDS: ALL

SUBJECT: FIRST AMENDMENT TO SERVICES AGREEMENT WITH MUNICIPAL CODE CORPORATION FOR CONVERSION OF CITY'S MUNICIPAL CODE INTO MUNICODE'S DATABASE FOR PUBLICATION, EXTENDING TERM THROUGH DECEMBER 31, 2023 IN AN AMOUNT NOT TO EXCEED \$75,000

ISSUE:

Approve the First Amendment to the Services Agreement with Municipal Code Corporation for conversion of City's Municipal Code into Municode's Database for publication both in print and online in an amount not to exceed \$75,000 for services extended through December 31, 2023.

RECOMMENDATIONS:

That the City Council:

1. Approve the First Amendment to the Services Agreement with Municipal Code Corporation for conversion of City's Municipal Code into Municode's Database for publication both in print and online in an amount not to exceed \$75,000 for services extending term through December 31, 2023, in accordance with Purchasing Resolution 23256, Section 702(g); and
2. Authorize the City Manager, or his designee, to execute the First Amendment to the Services Agreement, including making minor and non-substantive changes.

BACKGROUND:

On August 7, 2017, RFP 1727 closed, and City staff reviewed all responsive proposals. Municipal Code Corporation was deemed the highest rated proposal. On December 14, 2017, the City of Riverside executed a Services Agreement with Municipal Code Corporation for conversion of the City's Municipal Code into Municode's Database for publication both in print for a four-year term in an amount not to exceed \$50,000.

In 2020, due to COVID-19 and the subsequent financial challenges it caused, staff were allowed to contact vendors to offer a contract extension through December 31, 2023, but only if the vendor agreed to maintain current pricing at the current level of services throughout the extended term. This exception to competitive procurement is provided 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”.

DISCUSSION:

The proposed First Amendment is to extend the term through December 31, 2023, for a compensation sum not to exceed \$75,000, subject to the standard change order as stated in the City’s Purchasing Resolution 23256. Municipal Code Corporation has agreed to extend the term through December 31, 2023 and honor all current pricing and service levels.

Since Municipal Code Corporation is agreeable to the terms and the City Clerk’s Office is satisfied with their performance, staff recommends amending the Agreement to extend the term.

The Purchasing Manager concurs that the recommended action is in compliance with Purchasing Resolution 23256, Section 702(g).

FISCAL IMPACT:

The fiscal impact to extend the contract with Municipal Code Corporation through December 31, 2023, is an amount not to exceed \$75,000 for the term of the agreement. Sufficient funding is budgeted in the FY 2021/22 proposed budget, in the General Fund, City Clerk’s Office budget and will be included in the FY 2022/23 department budget.

Prepared by: Donesia Gause, City Clerk
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Lea Deesing, Assistant City Manager
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachment: First Amendment to Services Agreement