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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 THE CONVENTION CENTER

WHEREAS, the City of Riverside owns the Riverside Convention Center; and

WHEREAS, there are two water cooled chillers used as part of the HVAC system at the Convention Center; and

WHEREAS, one of the two chillers has been inoperable since 2017 and incapable of repair; and

WHEREAS, the City is seeking to purchase a replacement chiller to be installed by City forces; 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 chiller, 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

1 WHEREAS, this cooperative purchasing contract has been competitively bid nationally and
2 meets the City’s procurement requirements under Purchasing Resolution 23256, Section 602 (e),
3 which provides that competitive procurement through the formal and informal procurement process
4 shall not be required when “Cooperative Purchasing is available and undertaken or when Good can
5 be obtained through Federal, State and/or other public entity pricing contracts or price agreements.”

6 WHEREAS, the City has received a quote from NSWC Mechanical Service, LLC to provide
7 the chiller for \$370,897 through the OMINA Partners cooperative purchasing program; and

8 WHEREAS, to competitively bid the purchase and installation of the chiller in accordance
9 with Charter section 1109 would cost an estimated \$663,000 to \$750,000 and require additional
10 staff time from multiple departments to monitor and administer the procurement and resulting
11 contract; and

12 WHEREAS, by purchasing the chiller and installing with City employees, the City will save
13 approximately \$115,000; and

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

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

21 Section 1: The formal bidding requirements of Section 1109 of the Charter of the City of
22 Riverside are hereby waived under the City forces exception stated therein.

23 Section 2: The City Manager, or his designee, is authorized to issue purchase orders and
24 execute agreements for the purchase of the chiller from NSWC Mechanical Service, LLC and the
25 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 _____, 2023.

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PATRICIA LOCK DAWSON
Mayor of the City of Riverside

Attest:

DONESIA GAUSE
City Clerk of the City of Riverside

I, Donesia Gause, 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 _____, 2023, by the following vote, to wit:

- Ayes:
- Noes:
- Absent:
- Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 2023.

DONESIA GAUSE
City Clerk of the City of Riverside

CA 23-0175 RMS 03/02/2023