



Agenda Information Sheet

File #: 18-1356

Item #: 27.

STRATEGIC PRIORITY: Public Safety
AGENDA DATE: February 13, 2019
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Procurement Services
EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a two-year service price agreement, with two one-year renewal options, for FirstNet services to provide public safety wireless devices and mobile services for the Department of Communication & Information Services with AT&T Corp through the Department of Information Resources cooperative agreement - Estimated amount of \$3,715,370.32 - Financing: Various Sources (see Fiscal Information)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for goods and services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

In March 2010, the Federal Communications Commission followed the 911 Commission's recommendation to create a nationwide, interoperable, mobile broadband public safety network. The FirstNet Authority, housed by the Department of Commerce, was created to oversee the process to select a provider and on March 30, 2017, they awarded a 25-year contract to AT&T Corp to be the exclusive provider for the FirstNet network. All 50 States and United States territories have since opted to participate in the FirstNet network.

This agreement will allow the Department of Communication & Information Services (CIS) to transition public safety wireless devices and mobile services to the preemptive and priority services of the FirstNet service. The project includes moving all of the existing cellular devices, smart tablets, and mobile data computers used by the Fire-Rescue Department, Emergency Medical Services, and the Police Department to FirstNet communication services. In comparison to the current commercial services, moving to FirstNet Service will provide significantly increased network performance while reducing the annual cost of service by \$566,685.48.

FirstNet provides enhanced service to first responders so that their devices do not have to compete with non-emergency cellular users for a cellular connection. This preemption will ensure that first responders have the communications capacity they need by detouring non-public safety users off the network to ensure quality of service for emergency personnel, much like civilian vehicle traffic is routed off a highway to make room for emergency personnel.

In future phases, CIS will address adding secondary users to the FirstNet core network. These secondary users will include critical infrastructure technology such as the Advanced Traffic Management System, Water Utility Industrial Control Systems, and crime area surveillance cameras.

The Department of Information Resources cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on February 4, 2019.

FISCAL INFORMATION

Various Sources - \$3,715,370.32 (Estimated amount)

Funding allocation will be determined based on an assessment of the Department of Communication and Information Services, Police Department, Fire-Rescue Department, and the Office of Emergency Management needs.

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$3,715,370.32	CO-OP	N/A	N/A	N/A
<ul style="list-style-type: none"> • The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs). 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	<ul style="list-style-type: none">• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices• Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

AT&T Corp

Randall L. Stephenson, Chairman
William A. Blase, Jr., Senior Executive Vice President

February 13, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with AT&T Corp (268653) through the Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for FirstNet services to provide public safety wireless devices and mobile services for the Department of Communication & Information Services for a term of two years, with two one-year renewal options, in an estimated amount of \$3,715,370.32. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to AT&T Corp shall be based only on the amount of the services directed to be performed by the City and properly performed by AT&T Corp under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of the budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$3,715,370.32, but not more than the amount of budgetary appropriations for this service price agreement during its term to AT&T Corp from Master Agreement Service Contract No. DSV-2019-00008738.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-1347

Item #: 28.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for an environmental education initiative program for the Office of Environmental Quality and Sustainability with the University of North Texas intergovernmental agreement - Estimated amount of \$2,252,475.00 - Financing: General Fund (see Fiscal Information)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide an environmental education initiative (EEI) program for the Water Conservation Division in the Office of Environmental Quality and Sustainability. This program will continue to teach, create, and enhance behavior changes in thousands of school-age children residing in the City. Education efforts shall also include environmental stewardship governing water conservation by the City. The programs are designed to appeal not only to the students but also to their parents and community. The EEI Program promotes the importance of water conservation to school aged children through English and bilingual hands-on classroom activities, interactive teacher workshops, and community outreach activities. The multi-faceted program includes State accredited curricula, hands-on lessons, school presentations, teacher development training, and more.

The contractor's primary responsibility is to augment current departmental efforts focused on increasing efforts identified in the City's water conservation efforts identified in the 2010 Five-year Strategic Plan on Water Conservation and again in the 2016 Water Conservation Five-Year Work Plan. To date EEI programs have effectively reached a diverse student population in classroom settings, trained and collaborated with teachers and administrators. The goal is to continue to build upon the current curriculum developed for K-12 education by adding new lesson plans and updating current ones as well as perform various community outreach programs.

In the past five years, the EEI programs have served all council districts in the following manner:

- Provided water conservation and waste diversion lessons to over 42,000 elementary and middle school students
- Assisted over 1,700 teachers through interactive workshops
- Reached approximately 22,900 residents through environmental community events and activities

The University of North Texas (UNT) will continue to assist the City with programs currently offered in the Dallas Independent School District (DISD), other ISDs, private schools, and faith-based organizations for children residing in the Dallas area. There will be greater outreach within DISD for the EEI Program and UNT will continue the summer internship program at the Dallas campus for selected high school students. Students will learn from and work under the Science, Technology, Engineering, and Math initiative.

The UNT intergovernmental agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2013, City Council authorized a five-year service contract for Environmental Education Initiative programs for Water Utilities and Sanitation Services with the University of North Texas by Resolution No. 13-1919.

The Government Performance & Financial Management Committee will receive this item for consideration on February 4, 2019.

FISCAL INFORMATION

General Fund - \$2,252,475.00 (Estimated amount)

FY 2018-19 - \$450,495.00

FY 2019-20 - \$450,495.00

FY 2020-21 - \$450,495.00

FY 2021-22 - \$450,495.00

FY 2022-23 - \$450,495.00

As the Environmental Education Initiative program is budgeted in Dallas Water Utilities FY 2018-19 budget, Dallas Water Utilities will reimburse the Office of Environmental Quality and Sustainability for its services related to the program.

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$2,252,475.00	Intergovernmental Agreement	N/A	5.00%	\$112,624.00
<ul style="list-style-type: none"> The Business Inclusion and Development Plan does not apply to Intergovernmental Agreements, however the prime contractor is subcontracting with a certified M/WBE. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Interlocal Agreement/Intergovernmental Agreement	<ul style="list-style-type: none"> Interlocal Agreements/Intergovernmental Agreements allow the City to take advantage of competitively bid contracts by a State agency or local government and enable the City to purchase goods or services at lower prices Interlocal Agreements/Intergovernmental Agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

University of North Texas

Dr. Neal Smatresk, President
 Narendra Dahotre, Provost

February 13, 2019

WHEREAS, on November 12, 2013, City Council authorized a five-year service contract for Environmental Education Initiative programs for Water Utilities and Sanitation Services with the University of North Texas in the amount of \$3,014,270.00, by Resolution No. 13-1919.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with the University of North Texas (227764) intergovernmental agreement, approved as to form by the City Attorney, for an environmental education initiative program for the Office of Environmental Quality and Sustainability, for a term of five years, in the estimated amount of \$2,252,475.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to the University of North Texas shall be based only on the amount of the services directed to be performed by the City and properly performed by the University of North Texas under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$2,252,475.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to the University of North Texas from Service Contract No. OEQ-2019-00008593.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-135

Item #: 29.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for a drug and alcohol testing program and medical examination services for the Office of Risk Management - Primary Health, Inc. dba CareNow, most advantageous proposer of two - Estimated amount of \$7,383,400.00 - Financing: Workers Compensation

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for goods and services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement provides a drug and alcohol testing program and medical examination services for the Office of Risk Management. Services will include medical examinations, drug and alcohol testing for new hire candidates, police, fire, and civilian employees, to include:

- Medical examination and drug/alcohol testing for applicable candidates based on job duties
- Department of Transportation (DOT) certifications for employees required to have a Commercial Driver's License (CDL)
- Driver recertification - Fire, Police, and CDL drivers
- Random drug testing - CDL and primary drivers
- Post-accident drug testing
- Return-to-duty examination - performed as a result of a failed DOT recertification
- Audiometric testing (Hearing)
- Lead, silica, and chemical testing that are required by Occupational Safety and Health Administration under the Department of Labor
- Functional capacity evaluation

- Hazardous material physicals
- Hepatitis and tuberculosis testing

Approximately 9,060 employees are tested annually. Of those approximately 1,600 employees fall under the DOT requirements and 3,100 are driver safety physical examinations. New services have been added since the previous solicitation, resulting in a price increase.

A six member committee from the following department reviewed and evaluated the qualifications:

- Department of Sanitation Services (1)
- Police Department (1)
- Water Utilities Department (1)
- Office of Risk Management (1)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30 points
- Capability/experience 25 points
- Functional/technical 15 points
- Business Inclusion Development 15 points
- Overall approach 10 points
- Training 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,550 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2014, City Council authorized a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees with Primary Health, Inc. dba CareNow by Resolution No. 14-0289.

The Government Performance & Financial Management Committee will receive this item for consideration on February 4, 2019.

FISCAL INFORMATION

Workers Compensation - \$7,383,400.00 (Estimated amount)

- FY 2018-19 \$1,476,680.00
- FY 2019-20 \$1,476,680.00
- FY 2020-21 \$1,476,680.00
- FY 2021-22 \$1,476,680.00
- FY 2022-23 \$1,476,680.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$7,383,400.00	Other Services	23.80%	23.80%	\$1,757,249.20
<ul style="list-style-type: none"> • This contract meets the M/WBE goal. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> • Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price
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The Office of Procurement Services received the following proposals from solicitation number BLZ1901. We opened them on November 16, 2018. We recommend the City Council award this service contract agreement in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Primary Health, Inc. dba CareNow	645 East State Highway 121 Suite 600 Coppell, TX 75019	85.25	\$ 7,383,400.00

PrimaMed Physicians 1138 North Alma School Road 59.60 \$13,768,150.00
PPLC dba PrimaCare Suite 120
Medical Center Mesa, AZ 85201

OWNER

Primary Health, Inc. dba CareNow

Tim Miller, President
Helen M. O'Donnell, Vice President
Kristopher Russell, Treasurer

February 13, 2019

WHEREAS, on February 12, 2014, City Council authorized a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees with Primary Health, Inc. dba CareNow, in an amount not to exceed \$2,136,250.00, by Resolution No. 14-0289.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with Primary Health, Inc. dba CareNow (518539), approved as to form by the City Attorney, for a drug and alcohol testing program and medical examination services for the Office of Risk Management for a term of five years, in the estimated amount of \$7,383,400.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Primary Health, Inc. dba CareNow shall be based only on the amount of the services directed to be performed by the City and properly performed by Primary Health, Inc. dba CareNow under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$7,383,400.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to Primary Health, Inc. dba CareNow from Service Price Agreement No. ORM-2019-00009146.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-187

Item #: 30.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

A resolution adopting rules governing the receipt of electronic submissions for procurement solicitations pursuant to Chapter 252.0415 of the Texas Local Government Code for the purpose of increasing competition, reducing costs associated with the solicitation process, and streamlining the procurement of goods and services - Financing: This action has no cost consideration to the City

BACKGROUND

In mid-2018, the Office of Procurement Services (OPS) researched and acquired an electronic bid submission software to facilitate the procurement process for both City staff and the vending community. Since that time, OPS, with the assistance of Communication & Information Services, has configured and tested Bonfire Interactive to ensure a smooth transition for staff and potential vendors.

Some key benefits to the system include:

- Eliminate manual processes and forms in order to reduce project timelines
- Increase competition, through notification of solicitations reaching thousands of vendors nationwide
- Streamline the solicitation process through an easy and convenient online portal with full customer support
- Automate bid tabulations and evaluations, eliminating hard copy and reducing potential errors
- Provide a secure and fully cloud-based online portal with bank-grade security, disaster recovery plans, automatic compliance and accessibility features

Chapter 252 of the Texas Local Government Code authorizes municipalities to receive competitive bids and proposals through electronic submission if the City Council adopts rules to ensure the identification, security, and confidentiality of electronic bids and proposals, and to ensure that they remain effectively unopened until the proper time. The proposed rules in Exhibit A will satisfy the state requirement and will be used as a guide by staff to implement any necessary changes to

policies and procedures so that the City can begin accepting electronic submissions beginning March 1, 2019. In addition, OPS has worked with the Office of Business Diversity on a vendor outreach and training plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed on this item on February 4, 2019.

FISCAL INFORMATION

This action has no cost consideration to the City.

February 13, 2019

WHEREAS, under Chapter 252 of the Texas Local Government Code, the City of Dallas (the "City") is subject to competitive procurement requirements for certain contracts involving the expenditure of municipal funds in excess of \$50,000.000; and

WHEREAS, the City is authorized under Section 252.0415 of the Texas Local Government Code to receive competitive bids and competitive proposals through electronic transmission if the City Council adopts rules to ensure the identification, security, and confidentiality of electronic bids and proposals, and to ensure that they remain effectively unopened until the proper time; and

WHEREAS, the increased use of electronic communications by businesses and government entities necessitates the ability to accept bids or proposals through electronic transmission; and

WHEREAS, the ability to receive bids and proposals via electronic transmission will potentially lead to the submission of more bids or proposals, thereby increasing competition, potentially reducing prices, improving efficiencies and lowering costs associated with the solicitation process for both vendors and the City; and

WHEREAS, the City Council desires to adopt rules for receipt of electronic bids and proposals so that the City can take advantage of the benefits anticipated by such action.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That in order for the City to receive bids and proposals submitted pursuant to Chapter 252 of the Texas Local Government Code through electronic transmission, the City Council hereby adopts the rules attached hereto in Exhibit A (the "Rules") to ensure the identification, security, and confidentiality of such bids and proposals and to ensure that such bids and proposals remain effectively unopened until the proper time, as required by Section 252.0415 of the Texas Local Government Code.

SECTION 2. That the City Manager is hereby authorized to accept electronic submissions for future procurement solicitations, so long as all processes and procedures comply with the Rules.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly resolved.

Exhibit A

RULES GOVERNING THE RECEIPT OF ELECTRONIC SUBMISSION OF BIDS AND PROPOSALS

I. POLICY STATEMENT FOR ELECTRONIC BIDS OR PROPOSALS

These rules are established by the City of Dallas (the "City") for electronic solicitation procedures in accordance with Section 252.0415, Texas Local Government Code, to ensure the identification, security and confidentiality of electronic bids or proposals, and to ensure that bids or proposals remain effectively unopened until the proper time (the "Rules"). The Rules will apply to both bids and proposals that are submitted to the City pursuant to the requirements of Chapter 252, Texas Local Government Code, as well as those contracts and procurements for which the City has voluntarily elected to follow the competitive processes outlined in Chapter 252, Texas Local Government Code.

- A. All users of the electronic system, shall be assigned a unique user name and password.
- B. Access to the system by authorized users shall be logged and tracked in order to record when any user has accessed the system, and what data the user accessed.
- C. Transmittal of data through the internet shall be encrypted using SSL technology. All sensitive data within the system shall be encrypted using the Advanced Encryption Standard algorithm (AES), or better.
- D. All data shall be encrypted using a time-sensitive mechanism that allows the data to be decrypted only after the Bid Opening specified for each solicitation.
- E. The system shall be synchronized to two or more atomic clocks to ensure exact recording of the bid due date and time, and the receipt of data and time, for each submission.
- F. Neither vendor identities nor the contents of submissions are available during the bidding process.
- G. The City's Purchasing Agent, or his/her designee(s), with an authorized password, and only after the Bid Opening date and time, can request that the bid/proposal be opened and obtain the data in the bid/proposal.
- H. The City will determine when and what information is released to the public pursuant to Texas Law.
- I. The City's Purchasing Agent, is responsible for ensuring that any system utilized by the City for electronic submissions of bids and proposals must comply with all rules set forth, City procurement rules, and State law.



Agenda Information Sheet

File #: 19-59

Item #: 31.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of recreation center and physical education supplies for the Park and Recreation Department - Lakeshore Equipment Company dba Lakeshore Learning Materials in the estimated amount of \$175,000.00 and The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose in the estimated amount of \$160,000.00, lowest responsible bidders of three - Total estimated amount of \$335,000.00 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of recreation center and physical education supplies for the Park and Recreation (PKR) Department programs and activities to include the following:

- Mayor's Youth Fitness Initiative
- After school programs
- Active senior adult programs
- Summer camps
- Art programs

PKR manages free after school programs and summer programs at 20 Dallas Independent School District schools. Additionally, PKR offers 10 weeks of day camps at 41 recreation centers throughout the City and also provides recreation and leisure activities to senior adults over 55 years of age.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,786 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 14, 2016, City Council authorized a three-year master agreement for the purchase of recreation center and physical education supplies with S & S Worldwide, Inc. and BSN Sports by Resolution No. 16-1431.

On August 13, 2014, City Council authorized a three-year master agreement for the purchase of recreation center and physical education supplies with S & S Worldwide, Inc., BSN Sports, Nationwide Supplies and Simba Industries, Inc. by Resolution No. 14-1212.

On January 10, 2019, the Park and Recreation Board authorized a three-year master agreement for the purchase of recreation center and physical education supplies for the Park and Recreation Department with Lakeshore Equipment Company dba Lakeshore Learning Materials and The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose.

The Government Performance & Financial Management Committee will receive this item for consideration on February 4, 2019.

FISCAL INFORMATION

General Fund - \$335,000.00 (Estimated amount)

FY 2018-19 \$111,666.66
FY 2019-20 \$111,666.67
FY 2020-21 \$111,666.67

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$335,000.00	Goods	18.00%	0.00%	\$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> • Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed
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The Office of Procurement Services received the following bids from solicitation number BT1830. We opened them on September 22, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Lakeshore Equipment Company dba Lakeshore Learning Materials	2695 E. Dominguez St. Carson, CA 90895	Multiple Groups
*The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose	2525 Lemond St. SW Owatonna, MN 55060	Multiple Groups
Varsity Brands Holding Co., Inc. dba BSN Sports, LLC	14460 Varsity Brands Way Farmers Branch, TX 75244	Multiple Groups

OWNERS

Lakeshore Equipment Company dba Lakeshore Learning Materials

David Bo Kaplan, President
Charles Kaplan, Secretary
Joshua Kaplan, Treasurer

The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose

Todd Jennings, President

February 13, 2019

WHEREAS, on September 14, 2016, City Council authorized a three-year master agreement for the purchase of recreation center and physical education supplies with S & S Worldwide, Inc. in the amount of \$269,630.00 and BSN Sports in the amount of \$60,500.00, by Resolution No. 16-1431 and

WHEREAS, on August 13, 2014, City Council authorized a three-year master agreement for the purchase of athletic, recreation and sports equipment and supplies for use throughout the City with S & S Worldwide, Inc. in the amount of \$190,500.00, BSN Sports in the amount of \$144,300.00, Nationwide Supplies in the amount of \$130,400.00, and Simba Industries, Inc. in the amount of \$115,600.00, by Resolution No. 14-1212.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a master agreement for the purchase of recreation center and physical education supplies for the Park and Recreation Department is authorized with Lakeshore Equipment Company dba Lakeshore Learning Materials (VS0000021104) in the estimated amount of \$175,000.00 and The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose (VC19231) in the estimated amount of \$160,000.00, approved as to form by the City Attorney, for a term of three years, in a total estimated amount of \$335,000.00. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for recreation center and physical education supplies for the Park and Recreation Department. If a written contract is required or requested for any or all purchases of recreation center and physical education supplies for the Park and Recreation Department under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$335,000.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Lakeshore Equipment Company dba Lakeshore Learning Materials and The Prophet Corporation dba Gopher Sport, Gopher Performance Moving minds, play with a purpose from Master Agreement Contract No. PKR-2019-00008683.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-1287

Item #: 32.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service contract with Results Staffing, Inc. for temporary industrial labor for the Department of Sanitation Services - Not to exceed \$8,101,820.00 - Financing: Sanitation Services Fund (subject to appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract provides temporary industrial labor for the Department of Sanitation Services (SAN). Temporary labor is needed to supplement the SAN staff with approximately 210 industrial laborers on a daily basis to collect bulk brush, garbage and recycling; to perform work at transfer stations and the landfill, and to assist in environmental and special service duties. The temporary workers receive daily work supervision and instruction from City staff, but remain employees of the temporary agency. Temporary labor allows SAN the flexibility to adjust its workforce to meet service needs according to daily service demands.

Although Results Staffing, Inc. is a temporary employment agency, their employees have the opportunity to purchase an individual or family health care plan provided by the contractor upon hire. Additionally, the contractor provides skill enhancement and training for their employees and the opportunity to earn paid holidays and vacation.

On November 10, 2015, City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. This contract renewal option includes the most current living wage of \$11.15.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services with Results Staffing, Inc. by Resolution No. 16-1049.

The Government Performance & Financial Management Committee will receive this item for consideration on February 4, 2019.

FISCAL INFORMATION

Sanitation Services Fund - \$8,101,820.00 (subject to appropriations)

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$8,101,820.00	Other Services	23.80%	99.27%	\$8,042,320.00
<ul style="list-style-type: none"> • This contract exceeds the M/WBE goal. • Supplemental Agreement No. 1 - 98.92% Overall M/WBE participation 				

OWNER

Results Staffing, Inc.

Norma Devine, President

February 13, 2019

WHEREAS, on June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for temporary industrial labor for Sanitation Services with Results Staffing, Inc., in an amount not to exceed \$20,246,078.16, by Resolution No. 16-1049.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service contract with Results Staffing, Inc. (503279), approved as to form by the City Attorney, for temporary industrial labor for the Department of Sanitation Services, in an amount not to exceed \$8,101,820.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Results Staffing, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Results Staffing, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$8,101,820.00 (subject to appropriations) to Results Staffing, Inc. from Service Contract No. POM-2016-00000937.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 19-161

Item #: 39.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 13, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a five-year management contract, with two five-year extension options, for the management and operation of the Kay Bailey Hutchison Convention Center Dallas (KBHCCD) for the Department of Convention and Event Services - Global Spectrum, LP, dba Spectra Venue Management, most advantageous proposer of two - Not to exceed \$2,841,663 (which includes \$100,000 for costs associated with transition of management responsibilities of the KBHCCD); and **(2)** to establish a City owned account at the City's depository bank funded by annual appropriations for City authorized expenses associated with the operations of KBHCCD - Not to exceed \$249,070,917 - Total not to exceed \$251,912,580 - Financing: Convention Center Fund (subject to annual appropriations)

BACKGROUND

This management contract will provide for the management and all operational responsibilities of the Kay Bailey Hutchison Convention Center Dallas (KBHCCD). This includes responsibility for event management, facility maintenance, and operations of the KBHCCD, a 2 million square foot facility with 1 million square feet of exhibit space, three ballrooms, and 88 meeting rooms. The facility currently books over 100 events annually with definite bookings scheduled through 2026.

The contract will be managed by the Department of Convention and Event Services (CES), an enterprise department with an FY 2018-19 budget of approximately \$109 million. Performance metrics have been contractually established that work toward an annual increase in revenue, the implementation of expense-reducing strategies, and industry-standardization of operational efficiencies. As an example, the recommended vendor has set a year 1 goal of increasing revenue by \$3.8 million and operational efficiencies that reduce expenses by \$1 million. Total compensation, including the base management fee and incentive fees will not exceed \$500,000 annually.

The recommended vendor will be responsible for day-to-day event management, client services, and contract management of custodial services, security, parking, food and beverage, preventive maintenance, and collateral client services such as electrical, communications, and audio visual. As

part of the deliverables for this contract, independently administered and evaluated surveys will be provided to client meeting planners, attendees, and exhibitors to gauge the increase in satisfaction with event management, facility maintenance, and customer service. The recommended vendor will also be evaluated, throughout the term of the contract, on resource development, energy-efficiency enhancements, revenue increases, and operational and preventive maintenance efficiencies that move the convention center toward industry-standardization and greater competitiveness among similarly sized facilities. The contract also includes an initial assessment, of facility related repairs, and the ability for the recommended vendor to procure and manage all facility repair projects under \$25,000. On larger capital projects, the vendor will coordinate with CES Capital Projects Management staff. The initial assessment will be used by CES Capital Project Management staff to inform and guide the development of a long-term campus-based master plan that will allow the KBHCCD to better compete in the marketplace and propel the facility to a higher national ranking within the meeting and convention industry.

Bond Counsel and the City Controller’s Office approved the structure for the flow of funds to ensure compliance with bond covenants. The structure will include segregation of revenues and expenses. An operating account will be established by the City for the vendor’s day-to-day operational expenses. As outlined in the contract, the vendor will establish a separate bank account for receipt of both the management and incentive fees.

The management company will have a 45-day transition period beginning on the contract effective date. Transition costs are budgeted not to exceed \$200,000 with the vendor contributing \$100,000 of those costs. The transition period includes a human resources component where approximately 108 employees will be interviewed and potentially hired by the management company.

An eight member committee from the following departments reviewed and evaluated the qualifications:

- Department of Convention and Event Services (1)
- Building Services Department (1)
- Office of Cultural Affairs (1)
- Department of Planning & Urban Design (1)
- Office of Economic Development (1)
- Department of Public Works (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Financial capability 23 points
- Qualifications and experience 23 points
- Project approach 39 points

- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,424 email bid notifications to vendors registered under respective commodities and 14 nationally recognized organizations. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of \$11.15, by Resolution No. 15-2141; the selected vendor meets this requirement. Spectra has agreed to pay transitioning CES employees no less than \$13.45, the current lowest wage paid to a CES employee.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee was briefed regarding this matter on January 7, 2019.

FISCAL INFORMATION

Convention Center Fund - \$251,912,580 (subject to annual appropriations)

	Management Fee	Convention Center Operations	Total
FY 2018-19	\$ 341,663.00	\$ 27,241,917.00	\$ 27,583,580.00
FY 2019-20	\$ 500,000.00	\$ 40,279,000.00	\$ 40,779,000.00
FY 2020-21	\$ 500,000.00	\$ 43,196,000.00	\$ 43,696,000.00
FY 2021-22	\$ 500,000.00	\$ 44,994,000.00	\$ 45,494,000.00
FY 2022-23	\$ 500,000.00	\$ 46,201,000.00	\$ 46,701,000.00
FY 2023-24	\$ 500,000.00	\$ 47,159,000.00	\$ 47,659,000.00
5-Year Total	\$2,841,663.00	\$249,070,917.00	\$251,912,580.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$2,841,663.00	Other Services	23.80%	57.57%	\$1,636,000.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> • Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price
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The Office of Procurement Services received the following proposals from solicitation number BGZ1802. We opened them on July 12, 2018. We recommend the City Council award this management contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Global Spectrum, LP, dba Spectra Venue Management	3601 S. Broad St. Philadelphia, PA 19148	85.06	\$500,000.00
SMG Holdings, LLC	300 Conshohocken State Rd. Suite 770 W. Conshohocken, PA 19428	80.41	\$675,000.00

OWNER

Global Spectrum, LP, dba Spectra Venue Management

Brian Rothenberg, President
James Pekala, Vice President

February 13, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to **(1)** execute a management contract with Global Spectrum, LP, dba Spectra Venue Management (VC16378), approved as to form by the City Attorney, for the management and operation of the Kay Bailey Hutchison Convention Center Dallas (KBHCCD) for the Department of Convention and Event Services for a term of five years, with two five-year extension options in an amount not to exceed \$2,841,663.00, (which includes \$100,000.00 for costs associated with transition of management responsibilities of the KBHCCD), and **(2)** establish a City owned account at the City's depository bank funded by annual appropriations to Convention Center Fund 0080 for City authorized expenses associated with the operations of KBHCCD in an amount not to exceed \$249,070,917.00 over the initial term of the contract. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Global Spectrum, LP, dba Spectra Venue Management shall be based only on the amount of the services directed to be performed by the City and properly performed by Global Spectrum, LP, dba Spectra Venue Management under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse a prorated management fee of \$125,000.03 in full-month installments of \$16,666.67, \$100,000.00 in transition costs and an amount of pro-rated incentive fees not to exceed \$116,662.97, for a total amount not to exceed \$341,663.00 in year one from Convention Center Fund, Fund 0080, Department CCT, Unit 7840, Object Code 3071 to Global Spectrum LP, dba Spectra Venue Management from Service Contract No. CCT-2019-00009314.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse a \$200,000.00 annual management fee paid in monthly installments of \$16,666.67 and \$300,000.00 in financial and qualitative incentive fees, in a total amount not to exceed \$500,000.00 annually for combined management and incentive fees, based on satisfactory performance on contractually established metrics and subject to annual appropriations, for the remaining term of the contract following the transition in an amount not to exceed \$2,500,000.00 from Convention Center Fund, Fund 0080, Department CCT, Unit 7840, Object Code 3071, to Global Spectrum LP, dba Spectra Venue Management from Service Contract No. CCT-2019-00009314.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer an amount not to exceed \$27,241,917.00 from Convention Center Fund, Fund 0080, Department CCT, Unit 7873, Object Code 3072 to a City owned account at the City's depository bank for KBHCCD operating expenses which Global Spectrum, LP, dba Spectra Venue Management has access to in year one of Service Contract No. CCT-2019-00009314.

February 13, 2019

SECTION 5. That the Chief Financial Officer is hereby authorized to transfer funds from the Convention Center Fund, Fund 0080, Department CCT, Unit 7873, Object Code 3072 to a City owned account at the City's depository bank funded for KBHCCD operating expenses which Global Spectrum, LP, dba Spectra Venue Management has access to, subject to annual appropriations as follows:

- FY 2019-20: \$40,279,000.00
- FY 2020-21: \$43,196,000.00
- FY 2021-22: \$44,994,000.00
- FY 2022-23: \$46,201,000.00
- FY 2023-24: \$47,159,000.00

That the total amount to be transferred from Convention Center Fund 0080 to a City owned account at the City's depository bank for City authorized expenses associated with the operations of KBHCCD, inclusive of year one and subject to annual appropriations, shall not exceed \$249,070,917.00 over the initial term of the contract.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.