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**Title:** CONSIDER REJECTION OF PROPOSALS FOR EXTERNAL PUBLIC INTERNET ACCESS PROJECT FOR WIFI ACCESS IN 12 PARKS AND 2 CITY BUSINESS FACILITIES (CITY COUNCIL)

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Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, July 19, 2022

Consent

**SUBJECT:**

**CONSIDER REJECTION OF PROPOSALS FOR EXTERNAL PUBLIC INTERNET ACCESS PROJECT FOR WIFI ACCESS IN 12 PARKS AND 2 CITY BUSINESS FACILITIES (CITY COUNCIL)**

**I. SUMMARY**

On June 29, 2022, the Purchasing Division released RFP No. 22-015 for the City of Carson External Public WIFI project. The overall goal of this project is to ensure internet access is available at all City facilities (12 parks, City Hall, & Community Center) to support the City Council’s vision of providing free access to the internet (via WIFI) for all Carson residents.

Three (3) proposals were received but the proposal amounts were inaccurate due to irregularities in the bidding documents which resulted in at least one bidder submitting a bid that did not incorporate bonds which were required. More specifically, the RFP required bonds but the PlanetBids system also indicated bonds were not required for the project thereby creating an internal conflict with City’s bid documents. City staff requests that City Council reject all proposals received and authorize staff to re-advertise in an effort to receive accurate bid amounts.

**II. RECOMMENDATION**

TAKE the following actions:

1. REJECT all proposals received in response to RFP No. 22-015; and
2. AUTHORIZE staff to re-advertise in an effort to receive accurate bid amounts from all bidders.

**III. ALTERNATIVES**

1. DO NOT reject the proposals;
2. TAKE another action the City Council deems appropriate, consistent with the requirements of applicable law.

**IV. BACKGROUND**

On June 29, 2022, the Purchasing Division released RFP No. 22-015 for the City of Carson External Public WIFI project to provide members of the public no cost internet access at the City’s 12 parks (playgrounds, sports fields, park areas, etc.) and business centers (Community Center and City Hall).

External internet access is to be made available in the following City parks & facilities:

City Hall	701 E. Carson Street, Carson, CA. 90745
Community Center	801 E. Carson Street, Carson, CA. 90745
Veterans Sports Park	22400 Moneta Ave., CA. 90745
Carson Park	21411 S. Orrick Ave., CA. 90745
Foisia Park	23410 Catskill Ave., CA. 90745
Dominguez Aquatic Center	21330 Santa Fe Ave., CA. 90810
Hemingway Aquatic Pool	16605 S. San Pedro St., CA. 90746
Hemingway Park	700 E. Gardena Blvd., CA. 90746
Stevenson Gym Park	905 E. Franke St., CA. 90746
Carriage Crest Park	23800 S. Figueroa St., CA. 90745
Del Amo Park	703 E. Del Amo Blvd., CA. 90746
Dolphin Park	21205 S. Water St., CA. 90745
Anderson Park	19101 Wilmington Ave., CA. 90746
John Calas Park	1000 E. 220th St., CA. 90745
Mills Park	1340 E. Diamondale Dr., CA. 90745

The City of Carson utilizes PlanetBids for the advertising of projects and accepting bids from interested vendors. PlanetBids is a web-based system that provides a platform for advertising projects and is well-known throughout the industry.

Advertising a project into PlanetBids involves uploading the RFP, RFQ, etc. into the PlanetBids portal. In addition to uploading the bid documents to advertise a project, PlanetBids requires staff to manually update certain tabs or fields as a way to quickly view

certain pertinent information which in theory, should be consistent with the uploaded bid documents. Inconsistencies between the bid documents and the tabs can result in vendors bidding on different criteria because both are visible to the bidders, although a reasonable assessment should lead a bidder to conclude that the bid documents control and that at minimum, bidder should ask staff for clarification which is normally addressed through an addendum. For RFP No. 22-015, the bidders proceeded to form their bids without raising any questions to the City regarding the bond discrepancies, where the RFP required bonds but the PlanetBids tab indicated bonds were not required.

Staff was advised by the City Attorney's Office that pursuant to the Public Contract Code under the Uniform Public Construction Cost Accounting Act, a public agency may reject any bids presented and has the option to readvertise the project, provided that the public agency furnishes a written notice to an apparent low bidder. In addition, per the Carson Municipal Code, Chapter 6, Section 2612(d), "Bid Acceptance or Rejection," the awarding authority may reject any and all bids presented and may resolicit for bids in its discretion. On July 11, 2022, staff sent a letter to all the bidders thereby providing the required notification.

Therefore, staff requests that the City Council reject all the bids received for RFP No. 22-015 and instruct staff to readvertise the project in an effort to receive accurate bids.

## **V. FISCAL IMPACT**

None, rejecting bids does not have a direct fiscal impact to the City.

## **VI. EXHIBITS**

None.

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