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**Title:** CONSIDER (1) REJECTING ALL PROPOSALS FOR REQUEST FOR PROPOSALS (RFP) NO. 23-023 AND (2) APPROVING A CONTRACT SERVICES AGREEMENT WITH SCCI, INC. FOR ON-CALL EMPLOYEE SAFETY COMPLIANCE AND TRAINING SERVICES (CITY COUNCIL)

**Sponsors:**

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**Attachments:** 1. PURCHASING WAIVER - SCCI INC\_, 2. SCCI Professional Services Contract (clean\_10.24.23) (002)

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

Tuesday, November 21, 2023

Consent

**SUBJECT:**

**CONSIDER (1) REJECTING ALL PROPOSALS FOR REQUEST FOR PROPOSALS (RFP) NO. 23-023 AND (2) APPROVING A CONTRACT SERVICES AGREEMENT WITH SCCI, INC. FOR ON-CALL EMPLOYEE SAFETY COMPLIANCE AND TRAINING SERVICES (CITY COUNCIL)**

**I. SUMMARY**

The City has traditionally used the services of outside safety consultants to supplement in-house resources to maintain compliance with Cal-Osha workplace safety regulations. The services include training employees on work related safety topics, incident investigations, responding to Cal-Osha inquiries and consulting with staff on as needed basis. SCCI, Inc. dba Safety Compliance Company (“SCCI”) has satisfactorily provided these services to the City pursuant to City Manager-authorized contract #C-21-065 awarded in June 2021.

In an effort to engage in a long-term service agreement for these services and ensure the City’s current rates are reasonable, the City through the Risk Management Division and Purchasing Division, carried out RFP 23-023 for Employee Safety Compliance and Training On-Call Consultant Services. As a result, each of the proposals received were evaluated based on Carson Municipal Code (CMC) Section 2611(b).

After having evaluated, staff recommends that the City does not move forward to award of the responses received based on the prices outlined in the proposal. Pursuant to CMC Section 2611(i)(4) and 2611(i)(9), the Purchasing Manager has determined that the services are exempt from the bidding requirements of the purchasing ordinance, and has signed a Purchasing waiver memo to that effect (Exhibit No. 1). Although SCCI did not submit a proposal pursuant to the RFP, SCCI is willing to perform the services at rates which are significantly lower than the rates offered by the proposers pursuant to the RFP.

Staff is now asking Council to formally reject all proposals received on RFP 23-023 as allowed by CMC Section 2611(l)(1) and to approve a contract with SCCI to provide these services to the City for a 3-year term at a not-to-exceed amount of \$105,000 (Exhibit No. 2).

## **II. RECOMMENDATION**

TAKE all of the following actions:

1. REJECT all proposals received for RFP 23-023: Employee Safety Compliance and Training On-Call Consultant Services;
2. APPROVE the proposed Contract Services Agreement with SCCI, Inc. to provide safety compliance and training-related services for City employees for a three-year term at not-to-exceed contract sum of \$105,000 (Exhibit No. 2; "Agreement"); and
3. AUTHORIZE the Mayor to execute Agreement following approval as to form by the City Attorney.

## **III. ALTERNATIVES**

TAKE another action as deemed appropriate by the City Council.

## **IV. BACKGROUND**

As an employer in the State of California, the City is subject to workplace safety regulations that are promulgated through Cal-OSHA. Among other requirements, these regulations include mandatory training on topics such as heat illness prevention, confined spaces, lockout/tagout, ladder safety, etc. Additionally, the City is required to report serious injuries to Cal-Osha and to conduct investigations and/or respond to Cal-Osha inquiries. Since 2021, the City has used SCCI under City Manager-authorized contract #C-21-065 to supplement in-house resources to meet these obligations.

RFP 23-023 was issued on July 13, 2023, via PlanetBids, advertised in newspaper or local circulation, various City facilities, and on the City's website. The RFP closed on August 10, 2023, and four proposals were received.

After reviewing each of the proposals based on the criteria outlined in the RFP and in CMC Section 2611(b), Staff has determined that the proposal results were not ideal for the City and far beyond the allocated budget. Below is a sample comparison between the City's

current rates through SCCI and the 4 proposals received, which demonstrates the large variance in pricing.

Rate Type	SCCI, Inc.	RFP Proposer #1	RFP Proposer #2	RFP Proposer #3	RFP Proposer #4
Safety Meetings in English and/or Spanish	\$325	\$3,320	\$800 -- \$990	\$1,250	\$3,000
Safety Committee Meetings	\$350	\$2,500	\$990	\$1,250	\$2,100
Safety Certification Training	Up to \$65/person; \$375 min.	\$3,100	\$1,500	\$2,450 -- \$3,900	\$3,500
Ergonomic Assessments	\$250/person with report; or \$175/hr without report	\$150/person	\$175/hr	N/A	\$1,000/person; \$2,000 min
Facility Inspections	\$250/location	\$600	\$175/hr	\$2,450	\$2,100
Customized IIPP/Safety Manual	\$750	\$31,500	\$2,500	\$4,920	\$15,000

The RFP and all proposals are available upon formal request to the City Clerk’s Office.

CMC Section 2611 (“Exceptions to Bidding Requirements for Purchases Other Than for Public Projects”) provides that purchase of certain services shall not require compliance with the bidding requirements of the City’s purchasing ordinance, Chapter 6 of Article 2 of the CMC. As noted above, the Purchasing Manager has determined the services are exempt from the bidding requirements pursuant to CMC Section 2611(i)(4), which exempts “insurance, insurance adjusting, legal, and related services,” and 2611(i)(9), which exempts “professional development, training, and continuing education classes for City employees.” (Exhibit No. 1).

Considering the above, Staff recommends that Council reject all proposals pursuant to the RFP as allowed under CMC 2611(l)(1), which provides that “at any time, the awarding authority may reject any and all proposals presented in response to a request for proposals or qualifications and may re-solicit for proposals in its discretion,” and instead of re-soliciting for proposals, approve the proposed Agreement with SCCI for safety compliance training for City employees for a three-year term in a not to exceed amount of \$105,000 (Exhibit No. 2).

**V. FISCAL IMPACT**

No Fiscal Impact. The funds for these services is included in the FY 23/24 budget in account 101-50-660-173-6004.

**VI. EXHIBITS**

1. Purchasing Waiver Memo (p. 4)
  2. (Proposed) SCCI Contract Services Agreement (pp. 5 - 34)
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