



## Legislation Text

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### Report to Mayor and City Council

Tuesday, December 07, 2021

Consent

#### **SUBJECT:**

**CONSIDER AWARDING A CONTRACT SERVICES AGREEMENT TO BOB AUERBACH PHOTOGRAPHY FOR ON-CALL YOUTH SPORTS PHOTOGRAPHY SERVICES (CITY COUNCIL**

#### **I. SUMMARY**

The Community Services Department recently completed a Request for Proposals (RFP) 21-043 to select a vendor to provide photography services for youth sports, including but not limited to baseball, softball, flag football, soccer, basketball, cheer, and track. (Exhibit 1-3).

Pursuant to the RFP, staff is requesting the award and approval of a three-year agreement with Bob Auerbach Photography in an amount not to exceed \$141,000 over the initial three-year term of the contract; with two one-year City options to extend the term thereafter at a not-to-exceed amount of \$47,000 per one-year extension term.

#### **II. RECOMMENDATION**

1. WAIVE any irregularities in the proposal received, pursuant to CMC 2611(b)(4); and
2. AWARD and APPROVE a three-year on-call contract services agreement, with two (2) one-year extensions at the City's discretion, to BOB AUERBACH PHOTOGRAPHY for the provision of youth sports photography services, at a not-to-exceed contract sum of \$141,000.00 for the initial three-year contract term (Exhibit No. 4; the "Agreement"); and
3. AUTHORIZE the Mayor to execute the Agreement, following approval as to form by the City Attorney.

#### **III. ALTERNATIVES**

1. REJECT all bids/proposals and DIRECT staff to initiate a new RFP Process.

2. TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

The City of Carson's Youth Sports program offers many opportunities for young people to participate in organized team sports. Current offerings include baseball, softball, basketball, flag football, and soccer, with different divisions within each sport. Games are scheduled during specific optimum "seasons," and played at most of the City's 12 parks. In addition, track and field is also offered once a year as a community engagement for youth in the local schools and other sports include cheer and boxing.

The Community Services Department has traditionally operated youth sports leagues with staff coordinating aspects of league management, player/team assignments, officiating, and game scheduling. Registration fees for each sport season have been capped at \$25 per participant as the City Council has approved a substantial subsidy to ensure lower income youth residents can participate. This model has omitted the cost of uniforms, trophies, and player pictures from the registration package. Instead, park volunteer associations have been involved in facilitating these transactions outside of the City managed league registration process. Over time, City staff at the park sites have helped the volunteer associations with the collection of fees for uniforms, trophies, and pictures as well as sizing participants and placing orders with vendors for these functions. Families were required to submit two or more separate fees for league registration, uniforms, trophies, etc. The league fee was remitted to the City and the other fees to the respective volunteer associations; albeit collected often by City staff.

Although well intentioned, City staff collection of fees for services and items not officially part of an approved fee schedule or program component is not authorized by the City. Specifically, City Standard Management Procedure (SMP) 3.4 sets regulations on Cash Receipts to ensure that "all funds collected be properly receipted and recorded to the City's general ledger". Additionally, "City funds are not to be co-mingled with non-city funds. The collection or safekeeping of non-city funds by City employees is strictly prohibited".

During the Fiscal Year 2021-2022 budget workshops, City Council reviewed the Community Services Department's Budget Increase Proposal (BIP) for a supplemental expenditure allocation to accommodate in-house purchasing and management of youth sports league amenities for participants. The City Council declined the request at that time and encouraged staff to recruit additional volunteers to assist with the operations in the upcoming year.

Two volunteer associations approached Community Services staff with a proposal for City managed uniforms, trophies, and pictures procurement and operations as a part of the Youth Sports league programs. The proposal recommended that the City manage all youth sports league components under one general registration fee and collaborate with volunteer associations on the selection of uniforms, trophies, and picture vendors and specifications.

City staff met multiple times with the volunteer associations and the Parks, Recreation and Cultural Arts Ad-hoc Committee on Youth Sports to discuss the proposal and received feedback. As an outcome of these discussion, the associations were asked to vote on two options as follows:

**Option 1:** City staff full operations

- City to assume all tasks and responsibilities associated with the management of youth sports programs, to include collection of all fees essential to core operations (league registration, uniforms, pictures, trophies)
- Volunteer Associations (VAs) to fundraise for enhancements to sports season experience for youth (amenities for banquets, scholarships for low-income players, etc.)
- City to host end of season banquets in park (use of facilities and existing city equipment)
- City to procure vendor for goods and services related to all materials and supplies in a formal bidding process consistent with municipal procurement policies
- City to consult with VAs in the selection of trophies, uniforms, and pictures for consensus on base packages with emphasis on quality of product and responsiveness of vendor
- City to assume responsibilities with the launch of the Winter sports season (Basketball/January) to allow time for bidding procurement and selections with VAs' input
- City to utilize new registration platform (ActiveNet) to accept payments online or in-person at any city facility

**Option 2:** Hybrid Operations

- City to collect only league registration fee (\$25)
- City staff to manage league operations only (officials, player/team assignments, etc.)
- Volunteer Associations to collect fees for uniforms, trophies, and pictures · City staff are not authorized to collect store or deposit fees for uniforms, trophies, and pictures
- Volunteer associations to place orders for uniforms, trophies, and pictures
- Volunteer associations to store, sort, and distribute uniforms, trophies, and pictures
- City to host end of season banquets in park (use of facilities and existing city equipment)

Voting was conducted via email yielding the following results from all 12 staffed park

sites:

Vote	Option 1	Option 2
Yes	10	0
No	1	11
Non-Responsive	1	1
<b>Total</b>	12	12

Mills Park was the only non-responsive vote as the park does not currently have an active volunteer association.

On August 26, 2021, the Parks, Recreation, and Cultural Arts Commission considered these proposals and unanimously recommended City Council approve the in-house management of Youth Sports uniforms, trophies, and pictures.

At the October 5, 2021, City Council approved Resolution No. 21-131 amending the Youth Sports operations budget and increased the expenditure allocation by an additional \$200,000.

In response to this direction, staff prepared RFP 21-043 Youth Sports Photography Services, accounting for feedback received from Recreation Center Supervisors, Volunteer Park Association members, and City Attorney. The RFP (Exhibit 2) solicited proposals from qualified vendors interested in providing photography services for a youth sports standard photo package that includes (1) individual photo, (1) team photo, (1) button, (4) wallets, and (1) frame to display team picture and individual picture. The estimated number of youth sports participants that are expected to be serviced in a calendar year is 4,700. RFP 21-043 was posted on November 11, 2021, and only one bid was received, from Bob Auerbach Photography, a sole proprietorship, on November 24, 2021 (Exhibit 3). Per the RFP, proposals were evaluated pursuant to CMC 2611(b)-(c), and evaluation criteria included bid pricing, quality of photo package, and capacity to deliver services. Staff has determined that the Bob Auerbach Photography’s proposal is responsive to the RFP and demonstrates competence, the professional qualifications necessary for satisfactory performance of the required services, and a fair and reasonable price.

Should the City Council award and approve the Agreement (Exhibit 4) as recommended, the previously approved budget amendment of \$200,000 to include uniforms, photos, and trophies will cover these costs for this fiscal year. There are also sufficient funds in the Youth Sports expenditure account to cover any additional uniform costs this fiscal year. The photography service with the vendor is \$10 per standard photo package and is anticipated not to exceed an amount of \$47,000 in a year, as demonstrated in the chart below.

Sport	Number of Participants	Unit Cost	Total
Baseball/Softball	2,000	\$10	\$20,000
Soccer	1,160	\$10	\$11,600
Football	340	\$10	\$3,400
Basketball	1,200	\$10	\$12,000

<b>Total</b>	4,700		\$47,000
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If approved, the annual maximum expenditure of \$47,000 will be budgeted in each fiscal year of the proposed contract. However, the contract does not commit the City to spend the total contract sum or any amount as to the proposed vendor. Furthermore, the Youth Sports registration fees collected by City will fully reimburse the City within the fiscal year; with the increased revenue fully offsetting the anticipated expenditure for these tasks.

**V. FISCAL IMPACT**

No impact. Funds are currently budgeted in Youth Sports account for Fiscal Year 2021-22. **VI. EXHIBITS**

1. Bid Register (pg. 6)
2. RFP 21-043 (pgs. 7-25)
3. Bob Auerbach Bid Proposal RFP 21-043 (pg. 26)
4. Contract Services Agreement - Bob Auerbach Photography (pgs. 27-54)

Prepared by: Gloria Marroquin, Recreation Program Manager, and Robert Lennox, Community Services Director