



## Legislation Text

File #: 2023-0717, Version: 1

### Report to Mayor and City Council

Tuesday, October 03, 2023

Consent

#### SUBJECT:

**CONSIDER AWARDING A PURCHASE ORDER TO DAKTRONICS INC., FOR THE PURCHASE OF ONE NEW GALAXY GT6X 8MM HIGH RESOLUTION LED DISPLAY (MARQUEE) TO BE INSTALLED AT VETERANS PARK FOR THE COMMUNITY SERVICES DEPARTMENT AND CONSIDER APPROVING A PUBLIC WORKS AGREEMENT WITH CUSTOM SIGNS, INC. FOR INSTALLATION OF THE NEW GALAXY GT6X 8MM HIGH RESOLUTION LED DISPLAY AT VETERANS PARK**

#### I. SUMMARY

The Public Works Department, in collaboration with Community Services Department, is seeking City Council approval to purchase a new Galaxy GT6x 8MM marquee high-resolution display as identified in project PW1388. The proposed location for the marquee sign is the southeast corner of 223rd Street and Moneta Avenue, within Veterans Park; this location was chosen to ensure that pedestrians and motorists have the highest possible unobstructed visibility of the sign. The Community Services Department considers this LED display crucial in their efforts to promote, enhance and uphold their services for the community. The purchase will be made through a purchase order to Daktronics Inc., utilizing a cooperative purchase agreement with Omnia Partners Contract #R220601 dated February 22, 2022, at a maximum cost of \$34,765.85.

Staff is also recommending the approval of a Public Works contract with Custom Signs, Inc. for the installation of a new Galaxy GT6X High Resolution display at Veterans Park. The Contract Sum is a not-to-exceed \$24,510.54 plus a 10 percent contingency of \$2,451.05, for a grand total of \$26,961.59. As per the proposed Agreement (Exhibit No. 4), the work will be completed within 45 days of the City's issuance of a notice to proceed. The total cost of project is \$61,727.44.

#### II. RECOMMENDATION

1. AUTHORIZE and APPROVE a purchase order in the amount of \$34,765.85 to Daktronics Inc., for the purchase of one Galaxy GT6x 8MM high resolution display consistent with Omnia Partners Contract #R220601 (Exhibit No. 1).

2. APPROVE the proposed Public Works Agreement with Custom Signs, Inc. for a total not-to-exceed Contract Sum of \$24,510.54, plus contingency for a grand total of \$26,961.59 (Exhibit No. 4).
3. AUTHORIZE Mayor to execute the Agreement with Custom Signs Inc., following approval as to form by the City Attorney.

### **III. ALTERNATIVES**

1. DO NOT WAIVE the formal bid process.
2. DO NOT WAIVE the formal contracting process.
3. DO NOT AUTHORIZE the Purchasing Manager to utilize Cooperative Purchasing, as allowed by CMC Section 2611 (g) and issue a purchase order.
4. DO NOT APPROVE the Public Works Agreement, as allowed by CMC Section 2612.
5. TAKE another action the City Council deems appropriate, and consistent with the requirements of the law.

### **IV. BACKGROUND**

#### **Daktronics Inc.**

The Public Works department has identified the purchase and installation of a new electronic marquee sign as capital improvement project number PW1388. The marquee chosen for the project is the Galaxy GT6x 8MM, which is known for its high-resolution display, capable of rendering premium-quality images. The sign can display full-color graphics, logos, text, basic animation, video clips, and multiple font styles and sizes. Moreover, operators can easily control the display remotely using their mobile devices, making it user-friendly.

Section 2611(g) of the City's Municipal Code ("CMC") allows the City, through its Purchasing Manager, to dispense with competitive bidding processes to purchase materials, supplies, equipment, or services by utilizing a cooperative purchasing program engaged in by any local, county, State, or Federal public entity or entities, even if the contracts and implementing agreements entered into by the participating entity or association under those cooperative purchasing programs were not entered into under a process that resulted in the contract being awarded to the lowest responsible and responsive bidder under CMC 2610(i); provided, that the selected bidder was selected in compliance with the competitive bidding or proposal process requirements of any participating entity or association within three years of City's approval of the City contract entered into with the selected bidder via cooperative purchasing. The City Council has decided that the benefits to the City of utilizing cooperative purchasing outweigh any incremental higher price that may be paid by the City in certain instances as a result of not soliciting directly utilizing the lowest responsible and responsive bidder standard under

CMC 2610(i).

Omnia Partners is a cooperative purchasing agency established to allow participating municipal agencies to reduce the cost of procurement by leveraging the benefits of contract purchasing. Through solicitations, Omnia Partners contracts bring considerable value and efficiencies to members through nationally leveraged contracted suppliers with access to the highest quality products and brands. Each solicitation and RFP contain language, which includes all qualified customers in all fifty states.

The City's Purchasing Manager has determined that the Omnia Partners cooperative purchasing bidding process utilized for contracting with Daktronics Inc. through Omnia Partners Contract #R220601 dated February 22, 2022, complies with the requirements of Section 2611(g) of the CMC and therefore has waived the formal bidding process for purchase of a new Galaxy GT6x 8MM marquee high-resolution display through that program from Daktronics Inc. Now, staff is seeking City Council approval for purchase of the display at a cost not to exceed \$34,765.85.

Finally, it should also be noted that Section 2605(b)(ii) of the CMC requires City to enter into a contract for purchases of any personal property, including materials, supplies and equipment, of \$25,000 or more over a fiscal year, unless the Purchasing Manager waives this requirement. The Purchasing Manager has waived such contract requirement for purchase of the Galaxy GT6x 8MM marquee high-resolution display (Exhibit No. 3).

#### Custom Signs Inc.

Custom Signs, Inc.'s scope of work under the proposed Agreement includes (without limitation) removal and disposal of the existing boards, installation of the new Daktronics boards using Daktronics hardware, and connecting the power at each location. Staff has assessed the qualifications and background of Custom Signs, Inc., and has determined that it possesses the requisite ability to complete the work. Moreover, Custom Signs provided a detailed approach that would effectively and efficiently provide the required services.

The work under the proposed Agreement (as installation work on City facilities) constitutes a public project within the meaning of CMC Section 2612 and Public Contracts Code (PCC) Section 22002. Pursuant to PCC Section 22032, public projects of \$60,000 or less may be performed by negotiated contract; there are no formal or informal bidding procedures applicable to public projects of \$60,000 or less. The cost of this public project is \$24,510.54 plus contingency for a grand total of \$26,961.59. Accordingly, there are no applicable bidding procedures, and the City may proceed via negotiated contract with Custom Signs (Exhibit No. 4). The City Council is now asked to approve the Agreement with Custom Signs, Inc. for a total-do-not-exceed Contract Sum of \$24,510.54 plus contingency of \$2,451.05. The total amount being requested \$26,961.59.

## **V. FISCAL IMPACT**

The funding requested for the purchase of the Daktronics marquee for \$34,765.85 is

budgeted in the Park Development Fund account 216-80-820-904-8008. The funding for the Public Works Agreement with Custom Signs Inc for the installation of the marquee for a total contract authority of \$26,961.59 is budgeted in Park Development Fund account 216-80-820-904-8008.

## **VI. EXHIBITS**

1. Omnia Partners Contract` (pgs. 4 - 150)
2. Quotation /Specifications (pgs. 151 - 169)
3. Purchasing waiver (pgs. 170 - 171)
4. Custom Signs Inc. Contract (pgs. 172 - 207)

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