

# HIGH PROFILE CONTRACT COUNCIL COMMITTEE MEETING MINUTES

TUESDAY, APRIL 8, 2014

10:00 A.M.

MEDIA BRIEFING ROOM

**Members Present:** Councilmember Diego Bernal, Chair, *District 1*  
Councilmember Rebecca Viagran, *District 3*  
Councilmember Rey A. Saldaña, *District 4*  
Councilmember Ray Lopez, *District 6*

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**Members Absent:** Councilmember Ivy Taylor, *District 2*

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**Staff Present:** Troy Elliott, *Finance Director*; Kevin Barthold, *City Auditor*; Ben Gorzell, *Chief Financial Officer*; Debbie Sittre, *Assistant Director, TCI*; Alex Lopez, *Assistant Director, EDD*; Ed Belmares, *Assistant City Manager*; Stephen Whitworth, *Assistant City Attorney*; Jed Maebius, *Mayor's Office*; Marc Druck, *Compliance Auditor*; Carlos Contreras, *Assistant City Manager*; Chris Zaldivar, *Contract Coordinator, CCDO*; Bruce Martin, *Contract Manager, CCDO*; Elvia Fernandez, *Management Analyst, TCI*; Jim Mery, *Deputy Director, CCDO*; Lisa Biediger, *Assistant City Attorney*; Lauren O'Connor, *Assistant City Attorney*; Mike Sawaya, *Director, CFS*; Lori Houston, *Director, CCD*; Gloria Hurtado, *Assistant City Manager*; Ryan Cook, *Office of the City Clerk*

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**Others Present:** Ben Olivo, *Express News*; Joann Boone, *Rio SA Cruises*; Bill Kaufman, *K&K Lawfirm*; Ben Lira, *Rio SA Cruises*; Mitsuko Ramos, *K&K Lawfirm*; Baltazar Serna, *Serna&Serna*

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## 1. Approval of Minutes from the March 18, 2014 High Profile Contract Council Committee Meeting

Councilmember Viagran moved to approve the Minutes from the March 18, 2014 High Profile Contract Council Committee Meeting. Councilmember Lopez seconded the motion. Motion carried unanimously by those present.

## 2. Briefing on 2<sup>nd</sup> Six Month Bi-Annual Report FY14

Councilmember Saldaña entered the meeting at this time.

Troy Elliott provided a briefing on the 2<sup>nd</sup> Six Month Bi-Annual Report FY14:

- High Profile Contract Initiatives
- 1<sup>st</sup> Six Month High Profile Reporting Status
- FY14 2<sup>nd</sup> Six Month Biannual Report
- Individual High Profile Contract Initiatives Summary
- Consent High Profile Contract Initiatives Summary
- Biannual High Profile Contracts

- Consent High Profile Contract Items

Mr. Elliott reported that High Profile Contracts would need to meet one of the following conditions: Estimated Value over \$1 Million, High Level of Community Interest or other Exceptional Interest, Highly Complex or Technical in nature, and Contract Terms or Conditions that are Non-Standard or Complex. He stated that the 1<sup>st</sup> Six Months of the High Profile Contract Reporting Period was placed into two categories: 1) Individual Initiatives and 2) Consent Initiatives. He reported that Individual Initiatives had three Items Pending a Pre-Solicitation Briefing, three Completed Items, and three Removed/Canceled Items.

Councilmember Lopez asked if there were guidelines for setting the Terms of a Contract. Mr. Elliot replied that the Terms were dependent on the nature of the contract. He noted that Capital Intensive Contracts are typically longer and Professional Service Contracts tend to be shorter. Councilmember Lopez suggested that the City provide a methodology that would allow Vendors some insight regarding Contract Terms. Kevin Barthold suggested that Historical Data be used as an indicator to provide a general reflection of what may occur.

Councilmember Saldaña asked how the City's Convention Center Contract and Terms compared to other Large Cities, and if they allowed for 10-Year Contract Terms. Mike Sawaya replied that the City's Convention Center has had an exclusive caterer since 1972. He stated that a new Vendor would need to make an investment in Small Wares since the City owns all of the major appliances in the Convention Center's Kitchen. In response to Councilmember Saldaña, Mr. Sawaya stated that he would research comparable City's Contract Terms and provide the information to the Committee. Councilmember Saldaña asked if the Hansen/ECCO Replacement/DSD and the Concessions and Catering at the Alamodome Contracts listed under the Individual High Profile Contract Initiatives Summary were the same items listed on the City Council Agenda for Thursday, April 10, 2014. Ben Gorzell replied that the Hansen/ECCO Replacement/DSD Contract was not the same as the item listed on the Agenda. Ed Belmares added that the Alamodome Concessions and Catering Contract item was separate and would be seeking approval for different amendments. Discussion ensued regarding the contracts.

Councilmember Lopez suggested that a Mentorship Program be implemented at Café Commerce focused on providing guidance to Smaller Businesses for bidding on Large City Contracts. Alex Lopez stated that the Larger Contract Bidders are being utilized as Mentors, and as a result; said contracts were being awarded more frequently to Smaller Businesses.

No action was required for Item 2.

### **Individual High Profile Contract Initiatives for consideration:**

#### **Pre-Solicitation briefings:**

#### **3. River Barge Concession [CCDO]**

Jim Mery provided information on the River Barge Concession Contract:

- Procurement Overview
- Project Scope
- Solicitation Requirements
- Project Evaluation Committee

- Project Timeline

Councilmember Saldaña asked if there were other River Barge Companies. Mr. Mery replied that a national search revealed that there were very few similar companies; however, their services and operations were not the extent required by the City. He noted that five proposals were received during the previous Request for Proposal Process (RFP).

Councilmember Lopez asked of creativity and how it would be considered in the RFP. Mr. Mery replied that points would be awarded for the Quality of the Proposal, which includes Operations, Marketing and Affordability. Councilmember Lopez asked of creative guidelines/or parameters. Mr. Mery stated that a document containing creative guidelines was being established.

Chairman Bernal stated that a reliable source of River Transportation should be made available and taken into consideration for the Local Presence on the Riverwalk. He suggested that a member from the Project Evaluation Committee contact Local Businesses on the Riverwalk for Transportation Suggestions/or Ideas.

Councilmember Viagran concurred with Chairman Bernal.

No action was required for Item 3.

#### **Post-Solicitation briefings**

#### **4. Mission Drive-In Theater Site Development and Recreation Center [TCI]**

Debbie Sittre provided information on the Mission Drive-In Theater Site Development and Greater Mission Recreation Facility:

- Procurement Overview
- Significant Dates
- Project Scope
- Solicitation Requirements
- Project Evaluation Committee
- Due Diligence

Ms. Sittre stated that the City solicited for a highly qualified Developer or Development Team to participate in a Public-Private Partnership (P3) for the Redevelopment of City-Owned Property. She stated that the Solicitation included the construction of a Recreation Facility at the Mission Drive-In Theater Site located at 3300 Roosevelt Avenue. She noted that the Scope of Work included the design and construction of a 25,000 square-foot Recreation Center with dedicated Parking Spaces which would be operated by the YMCA. She noted that the developer would ensure that their plans were aligned with the Mission Drive-In Theater Site Master Plan Framework.

Mr. Barthold reported that there were no Conflicts of Interest.

Councilmember Viagran asked if the YMCA would be able to move forward on its own in lieu of the Solicitation. Lori Houston stated that the City was not preventing the YMCA from moving forward on its own. She noted that the YMCA would fundraise while the City negotiated. In the event that the City did

not reach an agreement; the YMCA would still be able to move forward provided they raised the necessary funds.

Councilmember Lopez asked of the YMCA's pledged commitment. Ms. Sittre replied that the YMCA has committed to raising \$3 Million.

No action was required for Item 4.

## **5. Alamodome Cleaning & Conversion Services [CSF]**

Mike Sawaya provided information on the Alamodome Cleaning & Conversion Services:

- Procurement Overview
- Significant Dates
- Project Scope
- Solicitation Requirements
- Project Evaluation Committee
- Due Diligence

Mr. Sawaya stated that the contract would provide Custodial Services to include Daily, Pre-Event, Event, Post-Event, and Special Project Cleaning of the Alamodome's Interior. He noted that the contract would also provide for supplemental Conversion/Labor Services for additional Labor to assist City Staff in the conversion or transition from one type of event to another.

Mr. Elliott reported that the Solicitation received seven responses, and of the seven responses; two were deemed non-responsive. He reported that of the five remaining Respondents, one had a Delinquent Federal Debt to which the Respondent stated they were seeking to resolve. Mr. Elliott reported that as a result of a Google Search, the same Respondent had appealed a Federal Government's recovery of amounts from a contract the Respondent had with them. He noted that the appeal was denied.

Mr. Barthold reported that there were no Conflicts of Interest with any of the Respondents.

Chairman Bernal asked of the Contract Terms. Mr. Sawaya replied that the Capital Investment required by the size of the facility was factored in. He stated that if a new vendor needed to start from scratch, it would be a \$100,000 investment in Small Wares Equipment. He added that the ultimate deciding factor would be based on their ability to receive a reasonable Return on Investment. He stated that \$100,000 at five years with a five year extension would be reasonable; however, the Convention Center would be much larger and require a much longer term in order to return the Investment.

## **6. Alamodome Rigging Services [CSF]**

Mr. Sawaya provided information on the Alamodome Rigging Services:

- Procurement Overview
- Significant Dates
- Project Scope
- Solicitation Requirements
- Project Evaluation Committee

- Due Diligence

Mr. Sawaya reported that the Rigging Services for the Alamodome were used to provide the installation of attachments such as Trussing, Lighting, and Banners to the Structural Steel of the Building.

Mr. Elliott reported that the Due Diligence Investigation revealed no findings.

Mr. Barthold reported no Conflicts of Interest.

Councilmember Saldaña asked Mr. Elliott why there was only one Respondent. Mr. Elliott replied that the skill specialty required by the Industry may have played a role in the lack of responses.

Councilmember Lopez moved to forward the Alamodome Cleaning & Conversion Services and the Alamodome Rigging Services Contracts (Items 5 and 6) to the full City Council for consideration. Councilmember Saldaña seconded the motion. Motion carried unanimously by those present.

**7. Pre-Solicitation: On-Call Landscape Architectural Services [TCI]**

There was no discussion or presentation regarding Item 7.

**8. Pre-Solicitation: On-Call Environmental Consulting Services [TCI]**

There was no discussion or presentation regarding Item 8.

Councilmember Saldaña moved to forward the On-Call Landscape Architectural Services and the On-Call Environmental Consulting Services (Items 7 and 8) to the full City Council for consideration. Councilmember Viagran seconded the motion. Motion carried unanimously by those present.

**Executive Session**

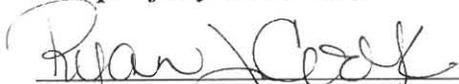
The Executive Session was not held.

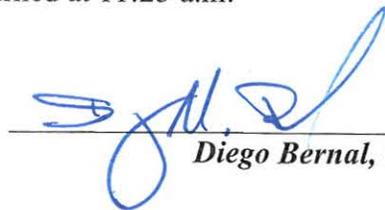
**Consideration of items for future meetings: Next meeting date: May 13, 2014**

**Adjourn**

There being no further discussion, the meeting was adjourned at 11:25 a.m.

*Respectfully Submitted,*

  
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*Ryan J. Cook, Office of the City Clerk*

  
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*Diego Bernal, Chair*