

Resolution No.

# STOCKTON CITY COUNCIL

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## **RESOLUTION APPROVING FINDINGS AND APPROVING A ROTATING VENDOR LIST FOR ENVIRONMENTAL CLEANUP AND ABATEMENT SERVICES**

The Municipal Utilities Department (MUD) Environmental Control Division enforces water quality requirements and regulations for incoming Regional Wastewater Control Facility flows, sewage spills, and illicit discharges into the area waterways; and

When illicit discharges occur, State and Federal regulations require immediate cleanup and/or mitigation to prevent pollution of local rivers or streams, and safeguard public health; and

Although each purchase is below the Council established spending limit, cumulatively they may exceed that limit for a single vendor in any given fiscal year; and

A list of contractors has been established based on demonstrated performance, technical knowledge, and compliance with City insurance and license requirements; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby approves the following findings in support of granting an exception to the competitive bidding process pursuant to Stockton Municipal Code 3.68.070:
  - a. A competitive Request for Qualifications for Emergency Spill Cleanup and Abatement Services to develop a pool of vendors received no bids.
  - b. This specialized contractor list will allow the City to quickly contract with vendors during specialized spill cleanup and abatement situations.
  - c. The cumulative total of these purchases by the vendor may exceed the Council established spending limit due to the specialized nature of the work. During these specialized cleanup and abatement situations, the City may not be able to apply the normal purchasing threshold, bidding, and contracting requirements, but will, nevertheless, have the need to move quickly and efficiently to protect public health and safety which is in the public interest.

- d. A 2012 audit finding recommended management to consider establishing grouped and approved lists into a single authorization by City Council for contracting services that cumulatively may exceed the Council limit. This pre-approved vendor list will assist MUD in handling such specialized work.
- e. The scope of services is very specific, which limits the number of qualified vendors available within reasonable proximity to the City. Contractors currently qualified have been included on the list. The policy allows other contractors to be added to the list and identifies the criteria for remaining on the list.
- f. The MUD policy will ensure that the opportunity for work will be fairly distributed among the qualified vendors. This policy and purchasing procedures are also in the public interest and will assist in ensuring that the specialized work is performed by the most qualified vendors.
- g. Additional vendors can be added to the list in the future by submitting a written request, holding a current City business license, signing a letter agreement, having appropriate insurance certificates on file, and submitting evidence of necessary licensure for handling hazardous materials.
- h. Establishing the preapproved vendor list is not a guarantee the City will provide such specialized work to the vendors on the list, or any particular amount of work.

2. A list of rotating vendors is hereby approved, a copy of which is attached as Exhibit 1 and incorporated by this reference. Contractors may be added to, or removed from the list according to the requirements of the MUD Directive FIN-13, Policy and Procedures for Contractor Pool and Rotating Pool Lists.

3. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED March 5, 2019.

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MICHAEL D. TUBBS, Mayor  
of the City of Stockton

ATTEST:

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CHRISTIAN CLEGG, Deputy City Manager/  
City Clerk of the City of Stockton