

Resolution No. 2018-06-19-1105

STOCKTON CITY COUNCIL

RESOLUTION APPROVING FINDINGS IN SUPPORT OF AN EXCEPTION TO THE COMPETITIVE BIDDING PROCESS AND APPROVING A VENDOR POOL FOR THE PURCHASE OF PHYSICAL AND ELECTRONIC MATERIALS FOR THE STOCKTON-SAN JOAQUIN COUNTY PUBLIC LIBRARY SYSTEM

The Community Services Department Library Division operates thirteen library branches on behalf of the Stockton San Joaquin Public Library System (SSJCPL). Library purchasing needs are unique; the standard purchase order procurement process does not provide the flexibility for the efficient acquisition of library materials for a budget over \$1,000,000; and

Although each purchase is below the City Manager's City Council delegated purchasing authority (section 3.68.040 of the Stockton Municipal Code), cumulative purchases may exceed that limit in any given fiscal year; and

The procurement process, as established in City of Stockton Administrative Directive CONTRACTS 25.1, requires three quotes for purchases over \$5,000, and Stockton Municipal Code 3.68.040 requires a competitive bid process for purchases to a single vendor that cumulatively total over \$75,000; and

For the vendors identified in the audit finding, vendor pricing and discount terms are the same for physical materials, those established pricing agreements include shelf-ready materials and three quotes will not result in a lower price; and

The pricing of SSJCPL electronic resources is not considered competitive because they are sole source purchases. Electronic resources are not interchangeable and cannot be purchased from a variety of vendors, obtaining three quotes for a single product is not feasible; and

An initial list of vendors, attached as Exhibit 1: Vendor Pool List and incorporated by this reference, has been created based on past demonstrated performance, ability to provide shelf-ready physical materials, and currently provide electronic resource materials; 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 an exception to the competitive bidding process pursuant to Stockton Municipal Code section 3.68.070.

a. The Library materials budget is a large budget with many small individual transactions to a relatively small number of specialized and qualified vendors.

b. The individual purchase transactions of library physical and electronic materials from a single vendor are within the City Manager's purchasing authority of \$75,000 but cumulatively may exceed that limit within a fiscal year.

c. The competitive bid process will not result in cost savings to the Library because:

- i. Procurement of library materials between \$5,000 and the City Council threshold does not require three quotes because book and media pricing discounts are standard for approximately 80% of such materials.
- ii. The pricing of SSJCPL physical materials is not considered open market and competitive because the scope of services is very specific and the number of available and qualified vendors able to provide shelf-ready items to SSJCPL is few.
- iii. The purchase of electronic materials and media is a sole source purchase because products are unique, one of a kind, and specialized. Platforms and services are proprietary and not available for purchase from multiple sources.

d. The alternative vendor pool solution will provide a timely, transparent, and streamlined process for procurement of Library materials. The establishment of this new process will support the competitive opportunity to qualified vendors:

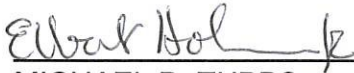
- i. An initial list of vendors has been created based on past demonstrated performance, ability to provide shelf-ready physical materials, and currently provide electronic resource materials.
- ii. Purchases will be within existing budget appropriation, subject to availability of funds, and according to vendor pool procedures.
- iii. Additional vendors can be added to the list in the future by submitting a written request proving they meet the designated criteria.
- iv. Establishment of the pre-approved vendor list does not guarantee that the City will provide such specialized work to the vendors on the list or any particular amount of work.

2. The City Council hereby approves the Library Vendor Pool, attached as Exhibit 1, for the acquisition of physical and electronic materials.

3. The City Manager or the City Manager's designee is authorized to update the vendor pool list and execute vendor agreements.

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

PASSED, APPROVED, and ADOPTED June 19, 2018.


MICHAEL D. TUBBS *for mayor*
Mayor of the City of Stockton *Tubbs*

ATTEST:


BRET HUNTER, CMC
City Clerk of the City of Stockton



The seal of the City of Stockton is circular with a double border. The outer border contains the text "STOCKTON FOUNDED JUNE 1849" at the top and "INCORPORATED JULY 1850" at the bottom, separated by two stars. The inner circle features a central illustration of a landscape with a building and a tree.

**EXHIBIT 1: VENDOR POOL LIST
(January 2018)**

Vendor Name	Address
Alldata	PO BOX 848379 Dallas, TX. 75284-8379
Baker & Taylor	PO BOX 277930 Atlanta, GA. 30384-7930
Brodart	PO BOX 3488 Williamsport, PA. 17705-0000
Califa Group	2471 Flores St. San Mateo, CA. 94403-2273
California Chamber of Commerce	PO BOX 1736 Sacramento, CA. 95812-1736
Dearreader.com	1002 S. Orange Ave Sarasota, FL. 34236-0000
Ebsco Subscription Services	PO BOX 204661 Dallas, TX. 75320-4661
Equifax	PO BOX 105835 Atlanta, GA. 30348-5835
Gale Group Inc.	PO BOX 95501 Chicago, IL. 60694-5501
Haines & Co Inc	PO BOX 2117 North Canto, OH. 44720-0000
Ingram Library Services	PO BOX 502779 St. Louis, MO. 63150-2779
Library of Congress	101 Independence Ave SE Washington, DC. 20541-4912
Linked In	1000 W Maude Ave Sunnyvale, CA 94085
Matthew Bender & Co.	28544 Network Pl. Chicago, IL. 60673-1285
Michell International	25029 Network Pl. Chicago, IL. 60673-1250
Midwest Tape	PO BOX 820 Holland, OH. 43528-0000
Multicultural Books and Videos	28880 Southfield Rd. #183 Lathrup Village, MI. 48076-0000
Newsbank	PO BOX 1130 Chester, VT. 05143
Overdrive	PO BOX 72117 Cleveland, OH. 44192-0002
Proquest Information & Learning	6216 Paysphere Circle, Chicago, IL. 60674-6216
Recorded Books	PO BOX 64900 Baltimore, MD. 21264-4900
Sams Technical Publishing	PO BOX 635123 Cincinnati, OH. 78596-5132
Standard & Poors	2542 Collection Center Dr. Chicago, IL. 60693-0000
Toucan Valley Publications	PO BOX 15520 Fremont, CA. 94539-2620
Tutor.com	Acct Receivable Locker B PO BOX 200599 Pittsburgh, PA. 15251-0599
World Book Inc.	PO BOX 856009 Louisville, KY. 40285-6009