



## Legislation Details (With Text)

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**Title:** Action on Agreement for Services with Ernie and Sons Scaffolding dba Unique Scaffold and Liberty Industrial Group, Inc. for As-needed Scaffolding Services

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Proposed Agreement for Services with Unique Scaffold, 2. Proposed Agreement for Services with Liberty Industrial Group Inc.

Date	Ver.	Action By	Action	Result
7/13/2021	1	City Council and Authorities Concurrent	Approved	

## REPORT TO COUNCIL

### SUBJECT

Action on Agreement for Services with Ernie and Sons Scaffolding dba Unique Scaffold and Liberty Industrial Group, Inc. for As-needed Scaffolding Services

### COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

### BACKGROUND

The City of Santa Clara’s Electric Utility, Silicon Valley Power operates three gas fired power generation facilities within the city limits as well as remote power generation facilities and substations. In order to support scheduled maintenance and emergency services at the City’s power plants, substations, and other facilities, the City requires use of scaffolding services.

### DISCUSSION

In March 2021, a competitive Statement of Qualifications (SOQ) was advertised on the City’s bid notification system for a Contractor to provide Scaffolding Services. A Request for Proposal (RFP) with the vendor selection based on the qualifications of the firm is also referred to as a Statement of Qualifications (SOQ). Pursuant to City Code Section 2.105.330, a Statement of Qualifications was conducted as the solicitation method, with the award recommendation based on “best value”. Proposals were submitted by two companies as follows:

- Ernie and Sons Scaffolding, d.b.a. Unique Scaffold (Concord, CA)
- Liberty Industrial Group, Inc. (Phoenix, AZ)

The factors considered in the award were qualifications, experience, approach to safety and training, and cost.

Staff recommends award of contract to both Liberty Industrial Group, Inc. (Liberty) and Ernie and Sons Scaffolding, d.b.a. Unique Scaffold (Unique). Both proposals met or exceeded all of the SOQ requirements. Unique shall serve as the primary contractor, while Liberty shall be the secondary contractor.

Under the proposed agreements, Unique and Liberty will provide as needed scaffolding services including erection and dismantling of scaffolding; shrink wrapping; netting; safety training services; and scaffold inspection services at SVP's power plants and other City facilities.

The term of the proposed agreements will be a five-year initial term with five additional one-year options for extension at the discretion of the City. Compensation shall be paid on a time and materials basis, with annual costs not expected to exceed \$250,000. Additional services may be required for capital projects or other large scale efforts and, if needed, those services will be added through addendum or included in the agreement for the prime contractor associated with the project. Exercise of option terms after the initial five-year term shall be based on renewal quotes from Unique and Liberty. Any requests for compensation increases must be justified by the company and are subject to approval by the City and the annual appropriations of funds.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (b)(2), continuing administrative or maintenance activities.

### **FISCAL IMPACT**

The total cost of the agreement for services with Unique and Liberty is not anticipated to exceed \$1,250,000 over the five-year initial term.

Sufficient funds are available in the FY 2021/22 Operating Budget in the Electric Utility Operating Fund Contractual Services account based on the facility or asset requiring service. Budget for future years will be included in recommended budgets.

### **COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

1. Authorize the City Manager to execute Agreements for Services with Ernie and Sons Scaffolding dba Unique Scaffold, and Liberty Industrial Group, Inc., for as-needed scaffolding services, for a term starting on or about July 1, 2021 and ending on or about June 30, 2026 for a total maximum

- compensation not-to-exceed \$1,250,000 during the initial five-year term, subject to the annual appropriation of funds;
2. Authorize the City Manager to execute up to five one-year options to extend the Agreements after their initial term, ending on or about June 30, 2031, assuming all options are exercised, and subject to the annual appropriation of funds;
  3. Authorize the City Manager to make minor changes to the attached proposed agreements subject to approval by City Attorney; and
  4. Authorize the City Manager to take actions to add or delete services consistent with the scopes of the Agreements and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Proposed Agreement for Services with Unique Scaffold
2. Proposed Agreement for Services with Liberty Industrial Group Inc.