



## Agenda Report

21-1438

Agenda Date: 10/19/2021

### REPORT TO STADIUM AUTHORITY BOARD

#### SUBJECT

Report from Stadium Authority Regarding Stadium Manager's Request to Award Purchase Orders to Cintas and Twin Hill for Guest Services Uniforms and Fastenal for Stadium and Special Event Spaces CapEx Project, and Execute Agreement with MGC DBA Mission Glass Company for Command Post Window Treatment CapEx Project

#### BOARD PILLAR

Ensure Compliance with Measure J and Manage Levi's Stadium

#### BACKGROUND

On October 8, 2019, the Stadium Authority Board (Board) approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval. As result of Ordinance No. 2005, the Stadium Manager is also required to request Board approval before entering into agreements on behalf of the Stadium Authority. As of the effective date of the Ordinance (November 8, 2019), all Stadium Authority agreements for services, supplies, materials, and equipment require the approval of the Stadium Authority Board.

As the Stadium Manager, Forty Niners Stadium Management Company, LLC is responsible for maintaining "the Stadium in the Required Condition and operate the Stadium as a quality NFL and multi-purpose public sports, public assembly, exhibit and entertainment facility" as required by the Management Agreement between the Stadium Authority and Stadium Manager.

The Stadium Manager is requesting approval for the following:

- Award a purchase order to Cintas for the purchase of Sullivan and New Port blazers for Guest Services uniforms, in an amount not to exceed \$4,365. Per the Stadium Manager, the cost for this service will be charged to the FY 2021/22 Stadium Operations Budget, Guest Services line item;
- Award a purchase order to Twin Hill for the purchase of Intaglio jackets and Royal Oxford shirts for Guest Services uniforms, in the amount of \$3,367. Per the Stadium Manager, the cost for this service will be charged to the FY 2021/22 Stadium Operations Budget, Guest Services line item;
- Award a purchase order to Fastenal for Waterhog premier mats to be placed at Stadium entrances to help alleviate wet floor scenarios and provide safety to Stadium patrons, in the amount of \$71,274. The mats are listed in the Stadium Authority FY 2021/22 CapEx budget under the Stadium and Special Event Spaces line item. The line item is budgeted for \$78,750

and is a carryover from FY 2019/20; and

- Execute an agreement with MGC DBA Mission Glass Company for window tinting services, in the amount of \$9,425. The services are listed in the Stadium Authority FY 2021/22 CapEx budget under the Command Post Window Treatment line item. The line item is budgeted for \$16,800 and is a carryover from FY 2019/20.

### **DISCUSSION**

Stadium Authority staff reviewed the Recommendation for Award memo (attached to corresponding report #21-1437) and supporting procurement documentation submitted for the requests. The documents were in order and staff recommends approval of the requested purchase orders and agreement. The Stadium Authority will require full supporting documentation including compliance with prevailing wage laws, if applicable, before respectively releasing public funds upon procurement of supplies and services. This requirement is consistent with the Stadium Authority Board's March 27, 2019 direction to staff to stop payment of any additional invoices for services unless there is substantial documentation of services rendered which must also be in compliance with State law and City Code.

### **ENVIRONMENTAL REVIEW**

The actions being considered do not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment or pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

### **FISCAL IMPACT**

The FY 2021/22 Stadium Authority CapEx Budget includes \$78,500 and \$16,800 respectively for the Stadium and Special Event Spaces and Command Post Window Treatment line items which the mats and window tinting services fall under. There are sufficient funds to cover the cost of the mats (\$71,274) and window tinting services (\$9,425).

The Stadium Authority FY 2021/22 Budget contains a Legal Contingency for Shared Expenses such as Security, Stadium Operations, Engineering, Guest Services, and Grounds. As part of its March 23, 2021 approval of the FY 2021/22 Budget, the Stadium Authority Board delegated budget amendment authority to the Executive Director for Shared Expenses from the Legal Contingency. The Stadium Manager requested to have the uniforms charged to the Stadium Operations Budget, Guest Services line item which doesn't exist. In reviewing the request, these are Guest Services uniforms and it would appropriate to charge their costs to the FY 2021/22 Stadium Authority Legal Contingency, Guest Services line item. There are sufficient funds to cover the amount of \$7,732 for the requested Guest Services uniforms described in this report. The Executive Director will approve a budget amendment to reallocate \$7,732 from the Legal Contingency to the Shared Expenses, Guest Services line item upon the Board's approval of staff's recommendations.

The Stadium Manager's entire request totals a not to exceed amount of \$88,431 for FY 2021/22.

### **COORDINATION**

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This report has been coordinated with the Stadium Treasurer's Office and Chief Assistant City Attorney.

**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).

**RECOMMENDATION**

1. Approve the Stadium Manager's request to award a purchase order to Cintas for the purchase of Guest Services uniforms, in an amount not to exceed \$4,365, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
2. Approve the Stadium Manager's request to award a purchase order to Twin Hill for the purchase of Intaglio jackets and Royal Oxford shirts for Guest Services uniforms, in the amount of \$3,367, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
3. Approve the Stadium Manager's request to award a purchase order to Fastenal for Waterhog premier mats (Stadium and Special Event Spaces CapEx project), in the amount of \$71,274, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager; and
4. Approve the Stadium Manager's request execute an agreement with MGC DBA Mission Glass Company for window tinting services (Command Post Window Treatment CapEx project), in the amount of \$9,425, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

Prepared by: Christine Jung, Assistant to the Executive Director

Reviewed by: Deanna J. Santana, Executive Director