



## Agenda Report

21-14660

Agenda Date: 10/26/2021

### REPORT TO STADIUM AUTHORITY BOARD

#### **SUBJECT**

Report from the Stadium Authority Regarding Stadium Manager's Request to Award Purchase Order to EYEP Solutions, Inc. for Genetec Omnicast Training and Synergic Technical Certification

#### **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approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval.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 EYEP Solutions, Inc. for Genetec Omnicast training and Synergic Technical Certification, in the amount of \$5,520. Per the Stadium Manager, the cost for this training and certification will be charged to the FY 2021/22 Budget, Shared Expenses, Stadium Operations line item.

The Stadium Manager recommended that any public disclosure/discussion of this item be limited given its sensitive nature.

#### **DISCUSSION**

Staff reviewed the Recommendation for Award memo (attached to corresponding report #21-1465) and supporting procurement documentation that was submitted for the request. The documentation is in order and staff recommends approval of the requested purchase order. The Stadium Authority will require full supporting documentation including compliance with prevailing wage laws, if applicable, before respectively releasing public funds upon completion of training and certification. 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 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. There are sufficient funds in the FY 2021/22 Stadium Authority Legal Contingency, Stadium Operations line item to cover the amount of \$5,520 for the requested training and certification. The Executive Director will approve a budget amendment to reallocate \$5,520 from the Legal Contingency to the Shared Expenses, Stadium Operations line item upon the Board’s approval of staff’s recommendations.

### **COORDINATION**

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 EYEP Solutions, Inc. for Genetec Omnicast training and Synergic Technical Certification, in the amount of \$5,520, 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