



## Agenda Report

21-914

Agenda Date: 7/13/2021

### REPORT TO STADIUM AUTHORITY BOARD

#### **SUBJECT**

Report from the Stadium Authority Regarding the Stadium Manager's Request for Approval to Award a Purchase Order to Dell Marketing, L.P. for Surveillance - Command Center Equipment 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approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval.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 (ManCo), 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 ManCo.

Stadium Manager is requesting approval to award a purchase order to Dell Marketing, L.P. to purchase twelve (12) Dell Precision 3650 Towers in the amount of \$40,070. The equipment will be used to build out workstations in the Command Post at Levi's Stadium so they can handle the load of video viewing during large scale events and 24/7 operations.

#### **DISCUSSION**

Pursuant to City Code Section 2.105.180, a competitive Request for Quotation (RFQ) process was conducted with the award recommendation based on the lowest responsible responsive bid.

On March 23, 2021, the Board approved the Stadium Authority FY 2021/22 Operating, Debt Service and Capital Budget (Budget), which included a Surveillance - Command Center Equipment line item under the CapEx portion of the Budget. The following description was provided for the line item: "Build out workstations with equipment that can handle the load of video viewing during large scale events, as well as the 24/7 security operations in both 100 and 800 command rooms. Equipment includes, but is not limited to, monitors, keyboards, video cards, CPU processors, power supplies, motherboards, and cabling." The project is a carryover from FY 2020/21.

The Stadium Manager has prepared and submitted a Recommendation of Award memorandum, which is attached to the corresponding report (#21-908). Stadium Authority staff reviewed the memorandum and supporting RFQ documentation to ensure compliance with appropriate Purchasing Sections under Chapters 2.105 and 17.30 of the Santa Clara City Code and recommends Board approval of the Stadium Manager's request. Staff has been following the City Code provisions under Chapter 2.105 for consistency and to ensure that best practices in public sector procurement are being followed. The Stadium Authority will require complete supporting documentation before releasing public funds upon procurement of the equipment.

As part of its March 23, 2021 Stadium Authority FY 2021/22 Budget approval action, the Stadium Authority Board also directed the Stadium Manager to submit a procurement plan because of its inability to demonstrate (1) proper procurement for publicly funded contracts, (2) implement capital projects over the past fiscal years, and (3) whether proper standard of care for the facility is being maintained. As of July 5, 2021, the Stadium Manager has not complied with the Board's directive to provide a procurement plan.

### **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)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

The FY 2021/22 Stadium Authority CapEx budget includes \$52,500 for the Surveillance - Command Center Equipment line item. There are sufficient funds to cover the cost of the 12 Dell Precision 3650 Towers (\$40,070).

### **COORDINATION**

This report has been coordinated with the City's Purchasing Manager and the Stadium Authority Counsel and Treasurer'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).

### **RECOMMENDATION**

1. Approve the Stadium Manager's request for approval to award a purchase order to Dell Marketing, L.P. in the amount of \$40,070 inclusive of all sales taxes and delivery charges, for Surveillance - Command Center Equipment (12 Dell Precision 3650 Towers), 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