



Agenda Report

22-915

Agenda Date: 7/12/2022

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT

Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Award Purchase Orders to Pacific Coast Flag for City of Santa Clara Flags for Levi's Stadium and Guardian Booth LLC for Security 24/7 Gate C Employee Entrance Booth 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approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval.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 ManCo.

The Stadium Manager is requesting approval for the following:

1. Approval to award a purchase order to Pacific Coast Flag in the amount of \$1,280 to purchase five 8x12' City of Santa Clara flags for the Stadium. These costs are classified in the Stadium Authority Fiscal Year (FY) 2022/23 Shared Stadium Manager Expenses as Non-Compensation Expenses for the Engineering Department. These expenses are under Legal Contingency in the FY 2022/23 Budget; and
2. Approval to award a purchase order to Guardian Booth LLC in the amount of \$25,775 to procure a pre-manufactured security guard booth at Gate C, which will provide cover, power, lighting, storage, canopy for the magnetometer, and search table for the security staff. The Stadium Authority FY 2022/23 Capital Expense (CapEx) Budget includes \$26,250 for the Security 24/7 Gate C Employee Entrance Booth line item.

DISCUSSION

Stadium Authority staff reviewed the Recommendation for Award memo, supporting procurement documents, and draft purchase orders for the two requests (the memo is attached to corresponding report #22-914) for consistency against the Stadium Authority Procurement Policy and Santa Clara City Code Chapter 2.105.280 (Informal Bidding).

For the Security 24/7 Gate C Employee Entrance Booth CapEx project, the Stadium Manager noted in their report that it received three responses. However, staff concluded that one vendor's quote (Portafab) was non-responsive because they did not follow the Request for Quotation (RFQ) instructions. The Stadium Manager is recommending award to the lowest bidder (Guardian Booth LLC).

Staff recommends approval of the Stadium Manager's request to award purchase orders to Pacific Coast Flag for the flags and Guardian Booth LLC for the new security guard booth. The Stadium Authority will require full supporting documentation before respectively releasing public funds upon procurement of these items. 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.

FISCAL IMPACT

The Stadium Authority FY 2022/23 Budget contains a Legal Contingency for Shared Expenses such as Security, Stadium Operations, Engineering, Guest Services, and Groundskeeping. As part of its March 15, 2022 approval of the FY 2022/23 Budget, the Stadium Authority Board delegated budget amendment authority to the Office of the Executive Director and Treasurer for Shared Expenses from the Legal Contingency. Shared Expenses are split between the Stadium Authority and Forty Niners SC Stadium Company LLC per the Management Agreement.

There are sufficient funds in the Stadium Authority FY 2022/23 Legal Contingency, Engineering line item to cover the City of Santa Clara flags (\$1,280, of which the Stadium Authority is responsible for \$640). The Executive Director will approve a budget amendment to reallocate funds from Legal Contingency to Shared Stadium Manager Expenses for the costs described in this report upon the Board's approval of staff's recommendations and after the review of adequate documentation for costs

The FY 2022/23 Stadium Authority CapEx budget includes \$26,250 for the Security 24/7 Gate C Employee Entrance Booth line item. There are sufficient funds to cover the cost of the new security booth (\$25,775).

COORDINATION

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

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 report to Council may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Approve the Stadium Manager's request to award a purchase order to Pacific Coast Flag in the amount of \$1,280 to purchase City of Santa Clara flags for Levi's Stadium; 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
2. Approve the Stadium Manager's request to award a purchase order to Guardian Booth LLC in the amount of \$25,775 to purchase a pre-manufactured security guard booth (Security 24/7 Gate C Employee Entrance Booth CapEx Project); 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.

Reviewed by: Christine Jung, Assistant to the Executive Director

Approved by: Rajeev Batra, Executive Director