



Agenda Report

22-926

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 Order to MAMAVA, Inc. to Purchase Mamava XL Lactation Pods (Private Lactation Spaces 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approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval.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 the following:

- Approval to award a one-time purchase order to MAMAVA, Inc. to purchase three Mamava XL lactation pods with custom graphics and related accessories in the amount of \$90,119.

This project is included in the Stadium Authority FY 2022/23 Capital Expense (CapEx) Budget under the Private Lactation Spaces line item which is budgeted for \$126,000.

DISCUSSION

Stadium Authority staff reviewed the Stadium Manager's Recommendation for Award memo, supporting documentation, and proposed purchase order that were submitted (the memo and purchase order are attached to corresponding report #22-924) for consistency against the Stadium Authority Procurement Policy and Santa Clara City Code Chapter (SCCC) 2.105.290 (Informal Bidding). The Stadium Manager is utilizing a cooperative agreement for the lactation pods as allowed for under SCCC Chapter 2.105.290(b)(3).

Based on the documentation provided, staff recommends approval of the Stadium Manager's request to award a purchase order to MAMAVA, Inc. The Stadium Authority will require full supporting documentation including compliance with prevailing wage laws, if applicable, before releasing public funds upon completion of work. 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 action being considered does 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 CapEx Budget includes \$126,000 for the Private Lactation Spaces line item. There are sufficient funds to cover the cost of three Mamava XL lactation pods with custom graphics and related accessories (\$90,119).

COORDINATION

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

Approve the Stadium Manager's request to award a one-time purchase order to MAMAVA, Inc. with an addendum in the amount of \$90,119 to purchase three Mamava XL lactation pods with custom graphics and related accessories (Private Lactation Spaces 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.

Prepared by: Christine Jung, Assistant to the Executive Director

Approved by: Rajeev Batra, Executive Director