

**CITY OF SAN MATEO
RESOLUTION NO. ____ (2023)**

**APPROVING AN ALTERNATIVE PURCHASING PROCEDURE TO AWARD A CONSTRUCTION CONTRACT TO
STAPLES CONSTRUCTION COMPANY, INC. FOR FALLEN HEROES MEMORIAL SITEWORK AT CENTRAL PARK**

WHEREAS, San Mateo Municipal Code Section 3.60.070(h)(3) authorizes the City Council to approve alternative purchasing procedures upon a finding that the alternative purchasing procedure is in the best interest of the City; and

WHEREAS, Sourcewell (formerly known as NJPA) has conducted competitive bidding processes to select Gordian, Inc. (Gordian) to implement Job Order Contracting on behalf of their member agencies, including the City; and

WHEREAS, the Job Order Contracting process allows for an umbrella construction contract to cover various and separate job orders during the life of the contract, and is beneficial for renovation, remodeling, or alterations where many small project tasks will arise, but the timing, type, and quantity of work are unknown; and

WHEREAS, Sourcewell and Gordian have conducted competitive bidding to select contractors to perform Job Order Contracting based on Gordian's Unit Price Book; and

WHEREAS, unit price books provide fixed unit prices used for establishing budgets for contractor services at member agencies; and

WHEREAS, use of Gordian's Unit Price Book and contract provides a competitive price to the City and allows the City to complete required public improvements efficiently by eliminating the need to develop project specifications or solicit bids for each minor project task; and

WHEREAS, the City approved the Job Order Contracting as a competitive procurement method for construction services by resolution on March 18, 2019 upon findings that the Job Order Contracting process with Gordian is in the best interests of the City; and

WHEREAS, the Fallen Heroes Memorial Sitework Project at Central Park is designed and documented to be priced using Gordian's Unit Price Book; and

WHEREAS, Staples Construction Company, Inc., was selected based on their experience and availability to perform construction services using the Gordian's Unit Price Book; and

WHEREAS, based on these circumstances, staff has determined that this is the best price available because companies have submitted competitive bids.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY FINDS AND RESOLVES that:

1. The Fallen Heroes Memorial sitework is categorically exempt from CEQA as an “existing facility,” because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.) The Fallen Heroes Memorial sitework is also categorically exempt from CEQA because it consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (CEQA Guidelines Section 15303.)
2. The Job Order Contracting process, as approved by City Council on March 18, 2019, utilizing Gordian’s contract and Unit Price Book to award a construction contract to Staples Construction Company, Inc. is in the best interest of the City because it offers the best price to the City and allows the City to complete the Fallen Heroes Memorial Sitework Project at Central Park efficiently by eliminating the need to develop project specifications for a project-specific competitive bidding process.
3. The Parks and Recreation is authorized to execute a contract with Staples Construction Company Inc. for the Fallen Heroes Memorial sitework at Central Park, for \$241,751.68 with an authorized contingency of \$24,175.00, in substantially the form presented.