

CITY OF SAN MATEO
City Council Regular Meeting
February 18, 2025
7:00 PM



COUNCIL MEMBERS
Robert Newson Jr., Mayor
Adam Loraine, Deputy Mayor
Nicole Fernandez
Danielle Cwirko-Godycki
Lisa Diaz Nash

AGENDA ITEM

5. Legal Advertising Services – Bid Rejection

Reject all bids received for the City's Legal Advertising Services.

CEQA: This bid rejection is not a project subject to CEQA because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 5

Section Name: CONSENT CALENDAR

Account Number: 10-151:

File ID: 25-9607

TO: City Council
FROM: Alex Khojikian, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: February 18, 2025
SUBJECT:
Legal Advertising Services – Bid Rejection

RECOMMENDATION:
Reject all bids received for the City's Legal Advertising Services.

BACKGROUND:

The San Mateo City Charter, Section 9.07, specifies that the Council shall periodically call for bids from all newspapers adjudicated to be newspapers of general circulation within the City, or if none, within the County of San Mateo, for the publication of all Ordinances and other legal notices. The Charter also specifies that the contract “shall be awarded to the lowest responsible bidder” and that “the Council may designate the requirements for award of contract” to become the City’s official city newspaper. As the City’s agreement with the San Mateo Daily Journal expired on December 5, 2023, updated procurement was needed.

The City released a Request for Proposals for Legal Advertising Services on September 6, 2024, and entered into a short-term agreement with the San Mateo Daily Journal for services rendered for 2023-2024 on August 15, 2024. Two newspapers submitted proposals: The San Mateo Daily Journal and San Mateo County Times (parent company, Bay Area News Group).

On October 21, 2024, Council approved staff’s recommendation to reject all bids. The information submitted by each newspaper required further clarification. For instance, clarification was needed on: the assumed title of the newspaper under which the vendor would publish the notices; word count and pricing; and evidence of the San Mateo Superior Court’s Judgement and Order designating the newspaper applying as a Newspaper of General Circulation.

A Request for Bids for Legal Advertising Services was released on December 2, 2024, with revisions made to the original advertisement. Changes included: language clearly stating the criteria by which the City would determine the lowest bidder, specifying that lowest vendor would be selected based on cost per line; and the requirement that vendors specify the title of the newspaper in which legal advertisements are published, thus providing a clear distinction between the title of the newspaper, aliases, and/or the parent organization.

Three bids were received from: The San Mateo Daily Journal, San Mateo County Times (parent company, Bay Area News Group), and the San Francisco Examiner (parent company, The Clint Reilly Organization). While further reviewing submissions, it was determined that the bids did not adequately fulfill the criteria outlined in the request. Staff recommends rejecting all bids to allow staff to seek Council direction to designate the requirements for award of contract, per the Charter. A revised request for bids will require vendors to clearly state the name of the paper as it appears to the public, identify similar engagements in San Mateo County, identify circulation and availability of the physical newspaper within the City and the County.

Staff would also like to note that the San Mateo Daily Journal's circulation in San Mateo County was misstated due to a typographical error in the October 21, 2024 agenda report, Attachment 1. Please note that the correct circulation for the San Mateo Daily Journal is 25,000, not 250,000.

BUDGET IMPACT:

There is no budgetary impact for the rejection of bids.

ENVIRONMENTAL DETERMINATION:

This bid rejection is not a project subject to CEQA because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met. The Request for Bids was published on the City's Bids webpage beginning on September 6, 2024. Newspapers in circulation in San Mateo were also contacted by email to announce the request for bids.

ATTACHMENTS

Att 1 – Bid Results

STAFF CONTACT

Erin Fellers, Management Analyst I
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	<p>company (“company”).</p> <p>3. Location of the office from which the work on this engagement is to be performed.</p>	<p>Average Circulation in the County of San Mateo: 25,000;</p> <p>3. Location: 1720 S. Amphlett Blvd., Ste 123, San Mateo CA 94402</p>	<p>*Legals do not publish on Sundays</p> <p>Average Circulation in the County of San Mateo: 3,653 daily / 10,488 Sunday</p> <p>3. Location: 75 E. Santa Clara St. San Jose, CA 95113</p>	<p>Average Circulation in the County of San Mateo: 1,980 daily</p> <p>3. Location: 465 California St Suite 1600, San Francisco, CA 94104</p>
6	<p>B. Status of Vendor’s Newspaper</p> <p>Each vendor shall include a copy of the official court order adjudicating the newspaper to be a newspaper of general circulation in the either the City of San Mateo or the County of San Mateo.</p>	<p>Adjudication included in submission</p>	<p>Adjudication included in submission</p>	<p>Adjudication included in submission</p>

7	C. Advertising Staff The company should identify and keep the City up-to-date with the specific newspaper staff and contact information for those assigned to legal advertising.	Joy Uganiza Jerry Lee	Michelle Sloan	Sean McDermott (cover letter includes contact for designated advertising staff)
8	D. Costs 1. The rates to be charged to the City shall be designated for column inch. The proposal must also state the number of lines per column inch, as well as average word count per column inch.	1. Rate = \$1.63 per line, 12 lines per column inch Estimated average per year = \$43,580.66	1. Rate = \$1.18 per line, 11 lines per column inch Estimated average per year = \$29,038.73	1. Rate = \$1.25 per line, 12 lines per column inch Estimated average per year = \$33,557.85

	<p>THE LOWEST BIDDER WILL BE DETERMINED BASED ON THE COST PER LINE regardless of the number of words per line.</p> <p>2. Specify any volume or other discounts available to be offered to the City.</p> <p>3. Note any rush or late submittal fees, if applicable.</p> <p>Note: Vendor must complete Attachment A and submit it with proposal.</p>	<p>2. None</p> <p>3. None</p> <p>Att. A included</p>	<p>2. None</p> <p>3. None</p> <p>Att. A included</p>	<p>2. None</p> <p>3. None</p> <p>Att. A included</p>
9	<p>E. Publishing Schedule Provide details on your publishing</p>	Table included in submission	Table included in submission	Table included in submission

	<p>schedule. Which days do you publish? Does your paper publish a weekend edition?</p>			
10	<p>F. Deadline for Publication Provide details on your newspaper's deadlines (day and time of day) to place the advertisement in the paper. What is the turnaround time, and how much in advance does your paper need the advertisement before publishing?</p>	Table included in submission	Table included in submission	Table included in submission

11	G. Process for Advertisement Submittal Succinctly describe the steps in the process for placing an advertisement with your paper. Do not include any marketing materials.	<u>Process for Advertising Submittal</u> <i>All legal notices are submitted via email to office@smdailyjournal.com and ads@smdailyjournal.com Every listing is provided a proof via email as well as an affidavit of publication via email or snail mail. Deadline is 1 pm for the next publish date for the Classifieds section (under the section "Public Notices"). Deadline is 1 pm two days in advance for Main News section display ads. Holidays often have exceptions to the above schedule.</i>	<u>Process for Advertisement Submittal</u> <i>Submissions will be submitted via email to SMCTlegals@bayareanewsgroup.com and one of our Legal Coordinators, Anashia Lloyd or Toni Carranza, will assist you and process the notice accordingly.</i>	<u>Process for Advertisement Submittal</u> Ad Tech website portal process described in cover letter.
12	H. Similar Engagements with Other Government Entities List the most significant engagements performed in the last five (5) years that are most similar to the engagement described in this Request for	Att. B included in submittal San Bruno Redwood City San Carlos	Att. B included in submission City of Livermore City of Pleasanton City of Alameda	Att. B included in submission City and County of San Francisco Daily Journal Corporation City of San Carlos

Proposals. Indicate the names and telephone numbers of principal client contacts as professional references using Attachment B of this Request for Proposals.			
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RFP OPENING: September 6, 2024

RFB OPENING: December 2, 2024

Summary of City of San Mateo's Total Advertising Expenses, by Year

Fiscal Year	Total Spent on Advertising
2018	\$38,462
2019	\$18,280.82
2020	\$38,263.15
2021	\$34,374.58
2022	\$18,305.70
2023	\$29,125.66

Average = \$27,070

Estimated column inches purchased per year = 2237.19