

TO: Mayor and Council

FROM: Wendell Willard, City Attorney

DATE: May 7, 2010, for the May 18, 2010, City Council Regular Meeting Agenda

ITEM: Resolution Regarding City Services Contract

Background:

At Mayor and Council's retreat on March 19, 2010, a discussion was held regarding the City's process for rebidding the City Services Contracts which are set to expire in 2011. At that time, the attached Resolution was presented setting forth the broad parameters for the initiation of the re-bidding process. The City Manager was directed to place the Resolution on an upcoming agenda for the Mayor and Council's consideration for formal adoption.

Discussion:

The Resolution sets forth the broad parameters for the initiation of the contracting process. It directs the City Manager to: (1) begin the process of evaluation of the City's current contract structure for the delivery of municipal services for presentation to the Mayor and Council; (2) develop a bidding process to insure the integrity of such bidding process, and full participation of the potential universe of bidders, and (3) establish a timeline for the evaluation and bidding process, keeping the Mayor and Council apprised of its progress periodically regarding each of the above activities.

The Resolution further provides methods to help insure the open and impartial nature of the bidding process.

Alternatives:

The Mayor and City Council can choose to approve or not approve the Resolution.

Financial Impact:

None at this time.

Attachments:

I. Resolution

*City
Attorney*

STATE OF GEORGIA

CITY OF SANDY SPRINGS

**A RESOLUTION REGARDING THE CITY'S CONTRACT FOR THE
DELIVERY OF MUNICIPAL SERVICES**

WHEREAS, upon incorporation in December of 2005, the City of Sandy Springs, Georgia (the "City") undertook to create the most efficient, responsive, and cost-effective City possible; and

WHEREAS, in furtherance of that goal, the City implemented an innovative governmental structure outsourcing the majority of its city services through private contract; and

WHEREAS, as part of that process, requests for proposal ("RFP") were issued for municipal services, and through a competitive bidding process, a comprehensive and innovative public-private partnership for the delivery of municipal services emerged; and

WHEREAS, the current contracts for such services were approved by City Council and executed on January 1, 2006 ("Contracts"); and

WHEREAS, the term of the Contracts are approaching expiration in 2011, and

WHEREAS, the Mayor and City Council are dedicated to the role of outsourcing of city services in order to continue to provide the highest quality of services for its citizens and, as part of that goal, recognize that it is necessary and in the best interests of the City to periodically evaluate its contract structure and service delivery methods; and

WHEREAS, the Mayor and City Council recognize that it is in the best interests of the City to engage in another bidding process in order to further refine, improve, and develop the outsourcing model which the City pioneered; and

WHEREAS, the Mayor and City Council desire to establish and maintain a bidding process of the highest integrity with full participation of the bidding public in an open and transparent environment; and

WHEREAS, the Mayor and City Council further desire to provide for sufficient time and opportunity to determine the most efficient and effective method of delivering municipal services in the future and implement the same, and therefore wish to develop a timeline for its evaluation; and

WHEREAS, the Mayor and City Council have determined that it is practical and in the best interests of the City that any and all communications to the City from potential bidders or representatives regarding the bidding process, at any time during the bidding process, be made to one point of contact;

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the City Manager and staff of the City: (1) begin the process of evaluation of the City's current contract structure for the delivery of municipal services for presentation to the Mayor and Council; (2) develop a bidding process to insure the integrity of such bidding process, and full participation of the potential universe of bidders, and (3) establish a timeline for the evaluation and bidding process, keeping the Mayor and Council apprised of its progress periodically regarding each of the above activities; and
2. That the anticipated effective date for the implementation of a new contract(s) for the delivery of municipal services is July 1, 2011; and
3. Effective, June 1, 2010, any and all communications from potential bidders or their representatives inquiring about, discussing, or communicating regarding the bidding process in any manner whatsoever and at any time, from the date of this resolution, shall be directed to the City Manager or his designee only, and not to any other representative of the City, including the Mayor or members of City Council.
4. That any communications in violation of paragraph three above may result in the disqualification of that bidder from the bidding process and removal from consideration for award of any contract for the delivery of City services.
5. That a statement regarding the prohibition of such communications be included in any notice or RFP issued in connection with proposals for the provision of municipal services for the City.

APPROVED AND ADOPTED this _____ day of _____, 2010.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk

(SEAL)