



RESOLUTION 2017-065

AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH RECREATION CENTER PROPOSERS IN RANKED ORDER

WHEREAS, the City is currently in the process of conducting a Request for Proposals ("RFP") in regard to the operation of a City-owned recreation facility; and

WHEREAS, pursuant to the terms of that RFP, the members of the City Council, acting as the Selection Review Committee, have, using a numerical scoring system, each evaluated each of the written proposals and, separately, each of the interviews with the proposers who were selected for interviews; and

WHEREAS, the members of the Selection Review Committee have each provided their evaluation sheets, containing their numerical scores and comments, to City staff; and

WHEREAS, City staff have utilized the numerical scores for each interviewed proposer to establish a separate ranked list of proposers for each member of the Selection Review Committee, by summing each committee member's written proposal score and interview score for each respective proposer, and ranking the proposers in descending order by the resulting total score; and

WHEREAS, by assigning a score of four points to each proposer for each committee member who ranked that proposer first, a score of two points to each proposer for each committee member who ranked that proposer second, and a score of one point to each proposer for each committee member who ranked that proposer third, summing said points, and then ordering the proposers in descending order by their respective total scores, City staff have established an overall ranking of proposers based on the evaluations of all committee members, which ranking was presented by staff at the August 15, 2017 City Council meeting; and

WHEREAS, the terms of the RFP provide that the Selection Review Committee shall establish a final ranking of proposers; and

WHEREAS, the Selection Review Committee believes that the methodology set forth above for determining the overall ranking of proposers is appropriate and consistent with the terms of the RFP; and

WHEREAS, the terms of the RFP provide that the Selection Review Committee, after establishing a final ranking of proposers, will direct the City Manager to negotiate a contract with the preferred (top-ranked) proposer; and

WHEREAS, the terms of the RFP further provide that the City will attempt to reach a final agreement with said proposer, but may in its sole discretion terminate the negotiations and reject the proposal in the event additional information becomes available which affects the Selection Review Committee's evaluation, or agreement on a final contract cannot be reached within a reasonable time; and

WHEREAS, the terms of the RFP further provide that the City may then attempt to reach final agreement with the next ranked proposer, and so on with the remaining proposers, until an agreement is reached, and that, in the alternative, the City may at any time elect to reject all proposals; and

WHEREAS, the Selection Review Committee believes that a reasonable length of time for the City Manager to negotiate an agreement with the top-ranked proposer is thirty calendar days, but that an extension of up to thirty additional calendar days may be provided in the discretion of the City Manager; and

WHEREAS, the Selection Review Committee believes it appropriate that, in the event additional information becomes available which the City Manager believes could affect the Selection Review Committee's evaluation, or in the event that the City Manager believes that it may be appropriate to reject all proposals, or in the event that an agreement with the top-ranked proposer is not reached within the timeframes set forth above but the City Manager believes that allowing additional time may be appropriate, the City Manager should report back to the Committee accordingly and seek additional direction; and

WHEREAS, unless the City Manager determines that it is appropriate to provide such a report to the Selection Review Committee and seek additional direction, the Committee believes that, upon expiration of the time allocated herein for negotiations without an agreement being reached, the City Manager should proceed to negotiate with the next ranked proposer, and so on, utilizing the same procedures as for the top-ranked proposer; and

WHEREAS, the Selection Review Committee believes that it is appropriate that the City Manager be authorized to negotiate a proposed agreement, but further believes that final authority to approve or reject any such agreement must rest with the City Council, in its sole discretion; and

WHEREAS, therefore, if the City Manager successfully negotiates an agreement with a proposer, the Selection Review Committee believes it is appropriate for the City Manager to present that proposed agreement to the City Council for its consideration;

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The overall ranking of proposers established by City staff using the methodology set forth herein, and presented at the August 15, 2017 City Council meeting, is hereby approved as the Selection Review Committee's final ranking of proposers.

Section 2. The City Manager is hereby authorized and directed to enter into contract negotiations with the top-ranked proposer for a period of up to thirty calendar days, which period

may be extended by up to thirty additional calendar days in the discretion of the City Manager.

Section 3. In the event additional information becomes available which the City Manager believes could affect the Selection Review Committee's evaluation, or in the event that the City Manager believes that it may be appropriate to reject all proposals, or in the event that an agreement with the top-ranked proposer is not reached within the timeframes set forth above but the City Manager believes that allowing additional time may be appropriate, the City Manager is hereby directed to report back to the City Council, acting as the Selection Review Committee, and seek additional direction.

Section 4. Unless the City Manager determines that it is appropriate to provide such a report to the Selection Review Committee and seek additional direction, upon expiration of the time allocated herein for negotiations without an agreement being reached, the City Manager is directed to negotiate with the next ranked proposer, and so on, utilizing the same procedures as for the top-ranked proposer.

Section 5. Upon the City Manager successfully negotiating an agreement with a proposer, if any, the City Manager is hereby directed to present that proposed agreement to the City Council for its consideration and approval or rejection, in its sole discretion.

Section 6. The City Manager is hereby further authorized to take such other actions as may be necessary or appropriate to effectuate the intent hereof, including but not limited to the issuance of Notice(s) of Intent to Award.

Section 7. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 15th of August, 2017.


Krisanna Clark-Endicott, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder