



# Memorandum

**To:** Honorable Mayor and City Council

**From:** Councilmember Nancy Pyle,  
Councilmember Rose Herrera  
Councilmember Nora Campos  
Councilmember Ash Kalra

**Subject:** COMPETITION POLICY

**Date:** January 23, 2009

**Approved:** *Nancy Pyle*

**Date:** *1/23/09*

*Nora Campos*

*Ash Kalra Rose Herrera*

## RECOMMENDATION:

Accept the following suggested changes to the Council Memo dated January 13, 2009

1. Amend item 1.(c) to include only employees performing job functions related to the City contract.
2. Amend item 1.(h) to specify the following exemptions: In circumstances where the RFP intends non-profit response and requires cultural competency, a contract can be issued following two fully responsive bids.
3. Amend item 1.(l) to exempt from additional monitoring non-profits already monitored by an existing City Board or Commission.
4. Amend item 1.(m) to indicate that a meeting of the Board or Commission responsible for monitoring non-profit contracts can constitute that contractor's responsiveness hearing.
5. Include the following additional new recommendations:
  - a. Ask staff to return to Council in 30 days with a structure for an appropriate fee amount to be assessed on contracts in order to cover city costs for contract audits, as needed. This fee must be in proportion to the amount awarded and non-profits would be exempted.
  - b. Ask staff to return to Council in 30 days with an assessment of viable systems for encouraging the use of local small businesses and non-profits as sub-contractors.

## BACKGROUND:

As part of our efforts to ensure the broadest possible input and understanding of recommended changes to the City's competition policy, we sought additional feedback from the non-profit and business communities. Their feedback was invaluable in assuring that we do not inadvertently negatively impact our partners as we improve the City's system for allocating resources.