

A G E N D A



Recommendation for Council Action (Purchasing)

Austin City Council

Item ID:

28042

Agenda Number

25.

Meeting Date:

October 17, 2013

Department:

Purchasing

Subject

Authorize award, negotiation, and execution of five 12-month service contracts with WEBB & WEBB, PAMELA LANCASTER, OLIVIA B. RUIZ, SHERRY WETSCH, and DONNA HALL KEITH to provide protest hearing officer services in an amount not to exceed \$45,000 each and combined, with two 12-month options not to exceed \$45,000 each for a total estimated contract amount not to exceed \$135,000 each and combined.

Amount and Source of Funding

Funding in the amount of \$41,250 is available in the Fiscal Year 2013-2014 Operating Budget of the Financial Services Department. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future budgets.

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing
Language:

Best evaluated proposals of five proposals received.

Prior Council
Action:For More
Information:

Terry Nicholson, Sr. Buyer Specialist, 512-974-2995

Boards and
Commission
Action:

MBE / WBE:

Related Items:

This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Additional Backup Information

These agreements will provide the City of Austin with five independent Contractors to serve as Protest Hearing Officers on a rotational basis. The Hearing Officers will conduct hearings for protests of the solicitation process, protests of the City's MBE /WBE Business Procurement Program and protests of disqualifications resulting from the City's Anti-Lobbying ordinance. This contract will be utilized by FSD, CMD and SMBR departments of the City of Austin.

These various protest processes use an external hearing officer to review information presented by the protester and the City. The Hearing Officer conducts the hearing and produces a fact-finding report consistent with City of Austin policies. The Purchasing Officer uses the report in deciding the final outcome of the protests.

The City will select a hearings officer from the list on a rotational basis as requirements arise. The City will contact the first of the Hearings Officers, determine availability, and issue a purchase order for the service. As the second requirement arises, the City will contact the second Hearings Officer in the rotation, et cetera, until the list has been cycled, and then will return to the first listed again. If during the course of the contract term a Hearing Officer cannot provide the required services according to the City's schedule, the City will move on to the next available Hearing Officer in the rotation.

MBE /WBE solicited: 3/1

MBE /WBE bid: 0/0

APPROVAL JUSTIFICATION

- a. Best evaluated proposals. Webb & Webb is the current provider for these services.
- b. The Purchasing Office concurs with the Financial Services Department's recommended award.
- c. Advertised in the Austin American Statesman and on the Internet.