

ORDINANCE NUMBER O- 20321 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 09 2013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY TO EXTEND THE MEMORANDUM OF UNDERSTANDING WITH STAPLES CONTRACT AND COMMERCIAL, INC. FOR OFFICE SUPPLIES.

WHEREAS, the City of San Diego (City) is authorized to use cooperative procurement under Charter section 35, the San Diego Municipal Code, and Council Policy 100-01; and

WHEREAS, the City is a member of the National Joint Powers Alliance (NJPA), which is a public agency that serves as a national municipal contracting agency and, as such, is authorized to develop and offer cooperative procurement services to its members, including the City; and

WHEREAS, the City Council approved San Diego Resolution R-303602 (Apr. 24, 2008), which authorized the City to enter into a Memorandum of Understanding (MOU) with Staples Business Advantage (Staples) pursuant to a cooperative agreement with the NJPA as lead agency; and

WHEREAS, the MOU, which is on file in the Office of the City Clerk as Document RR-303602, expired on May 31, 2013 and the City is in need of a provider of office supplies; and

WHEREAS, consistent with San Diego Municipal Code section 22.3208 (d), the Purchasing Agent has certified in writing that a cooperative procurement contract awarded by the NJPA is in the best interests of the City, to the City's economic advantage, and that the NJPA's bidding process substantially complies with the City's competitive bidding requirements; and

WHEREAS, City staff seek authority to amend the existing MOU with Staples to extend the term of the MOU through May 31, 2014, for as-needed office supplies in an amount not to exceed \$2,000,000; and

WHEREAS, the terms of the contract between the City and Staples is on file with the City Clerk as Document No. RR-303602; and

WHEREAS, the Department of Purchasing and Contracting requests authority to extend the term of the MOU beyond five years to May 31, 2014; and

WHEREAS, because this contract extension will result in an extension of the MOU beyond five years, San Diego Charter section 99 requires that Council approve this amendment by a two-thirds majority vote; and

WHEREAS, City staff have determined that this activity is not a project and is therefore not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(3); NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Council President in his capacity under Charter section 265(i), or his designee, is authorized to execute, for and on behalf of the City, an amendment to the MOU between the City and Staples on file in the Office of the City Clerk as Document No. RR-303602.

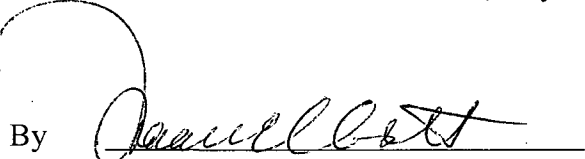
Section 2. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$2,000,000 solely and exclusively to provide funds for the above-referenced contract with Staples contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Mara W. Elliott
Chief Deputy City Attorney

MWE:cfq
10/8/2013
Or.Dept:[P&C]
Doc. No.: 649984

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 21 2013

ELIZABETH S. MALAND
City Clerk

By  For Gil Sanchez
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on NOV 21 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2013.

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 15 2013, and on DEC 09 2013.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20321