

# 5502  
12/5/17

(R-2018-219)

RESOLUTION NUMBER R- 311452  
DATE OF FINAL PASSAGE DEC 08 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO TO RATIFY AN EMERGENCY CONTRACT  
WITH TIFFANY STRUCTURES FOR INSTALLATION OF A  
TENT STRUCTURE IN RESPONSE TO THE HOMELESS  
SHELTER AND HEPATITIS A CRISES.

WHEREAS, the City of San Diego (City) Purchasing and Contracting Department is requesting ratification of the agreement between the City and Tiffany Structures (Agreement) that was executed and made effective on November 14, 2017 to provide installation services for a tent structure on a property near the intersection of 14th and Commercial Streets in the Downtown community in order to respond to the homeless shelter and Hepatitis A crisis; and

WHEREAS, San Diego Municipal Code (Municipal Code) sections 22.3208(b) and 22.3108(a) authorizes the award of emergency contracts without advertisement or a competitive process when it is necessary to safeguard life, health, or property due to extraordinary fire, flood, storm, epidemic, or other disaster, provided that the Purchasing Agent immediately reports the emergency award and its justifications to the City Council in writing and the City Council ratifies the award by resolution and by a two-thirds vote; and

WHEREAS, this Agreement is exempt from competitive bidding requirements pursuant to Municipal Code sections 22.3208(b) and 22.3108(a) because it is a contract necessary to safeguard life and health due to the number of persons living without shelter in the City on or in the City parks, sidewalks, parking lots, and beaches, as well as related to the Hepatitis A outbreak public health emergency in the City, and the Purchasing Agent reported the emergency award and its justifications to the City Council on November 16, 2017; and

WHEREAS, on October 2, 2017, the City Council adopted San Diego Resolution R-311331 (Oct. 3, 2017), declaring the existence of a shelter crisis in the City of San Diego because it finds that a significant number of persons in the City are without the ability to obtain shelter crisis, which results in a threat to their health and safety, which is on its own a sufficient basis for declaration of a shelter crisis and is compounded by the Hepatitis A outbreak;

WHEREAS, the declaration of a shelter crisis includes establishing and operating a public facility that the City may make available to unsheltered individuals to mitigate the effects of the shelter crisis and the effect the Hepatitis A outbreak has on the shelter crisis; and

WHEREAS, as part of the City's comprehensive effort to address the homeless shelter crisis and the effect the local Hepatitis A outbreak has on the shelter crisis, the City required the installation of a tent structure to provide a Temporary Bridge Shelter to the homeless individuals, on property near the intersection of 14th and Commercial Streets in the Downtown community; and

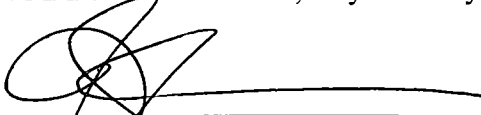
WHEREAS, Tiffany Structures is a qualified vendor that will provide installation services of a patented stressed membrane tent structure at the 14th and Commercial site; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Agreement between the City and Tiffany Structures for the installation of a tent structure, in an amount not to exceed \$544,775, which was awarded by the Purchasing and Contracting Department and made effective on November 14, 2017, and is on file in the Office of the City Clerk as Document No. RR-**311452**, is ratified and approved.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount of \$544,775 for the installation of a tent structure, and an additional \$81,716 contingency fee for any unforeseen conditions or circumstances including additional equipment, material, and labor,

for a total amount of \$626,491 over the term of the Agreement with Tiffany Structures contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
\_\_\_\_\_  
Jill S. Cristich  
Deputy City Attorney

JSC:jls  
November 24, 2017  
Or.Dept: Purchasing & Contracting  
Doc. No.: 1633674.docx

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 05 2017.

ELIZABETH S. MALAND  
City Clerk

By   
\_\_\_\_\_  
Deputy City Clerk

Approved: 12/8/17  
\_\_\_\_\_  
(date)

  
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 05 2017, by the following vote:

| Councilmembers  | Yeas                                | Nays                                | Not Present              | Recused                  |
|-----------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Barbara Bry     | <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"/> |
| Chris Ward      | <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"/> |
| Chris Cate      | <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 type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gomez | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage DEC 08 2017

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

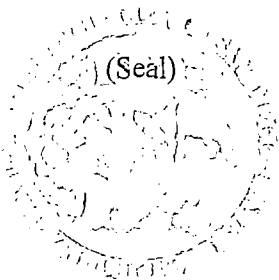
KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Ginda Irwin, Deputy



Office of the City Clerk, San Diego, California

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