

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA WAIVING COMPETITIVE BIDDING  
REQUIREMENTS AND APPROVING A MASTER PRODUCT  
AND SERVICES AGREEMENT WITH PALLET SPC

WHEREAS, on August 18, 2021, the Chula Vista Homeless Outreach Team conducted a point in time count, CVCounts2021, which identified a total of 792 homeless persons within the City;

WHEREAS, the City finds that the number of homeless is significant, and these persons are without the ability to obtain shelter and at risk of injury and harm due to exposure to the elements and other health, safety, and welfare-related circumstances and consequences associated with living outside;

WHEREAS, such homeless overnight lodging in public spaces also has an adverse effect on the health and safety of the people in the City, including the homeless population;

WHEREAS, the City Council affirms the City of Chula Vista's commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

WHEREAS, unauthorized homelessness encampments are increasing across the City of Chula Vista within the public right-of-way, which are exposing homeless individuals to traffic hazards, crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services, and other conditions that are detrimental to their health and safety;

WHEREAS, analysis and evidence have demonstrated that providing decent, safe, and stable housing combined with crucial support services are two primary components of successful transition from homelessness to a safer and healthier way of living;

WHEREAS, as provided by the CARES Act, recipients of CARES Act funding may deviate from the applicable procurement standards (e.g., 24 CFR 576.407(c) and (f) and 2 CFR 200.317-200.326) when procuring goods and services to prevent, prepare for, and respond to coronavirus;

WHEREAS, Chula Vista Municipal code section 2.56.070.B.3 provides for an exception to the City's competitive bidding requirements for contracts for supplies and services over \$100,000 where the City's interests would be materially better served by applying a different purchasing procedure approved by the Purchasing Agent as being consistent with good purchasing practices;

WHEREAS, due to the emergency shelter crisis and the immediate threat to public health, safety, and welfare of Chula Vista residents, City staff recommends waiving the competitive bidding requirements, as supported and authorized by Resolution 2018-199 as extended by Resolution 2021-165 establishing an Emergency Shelter Crisis Declaration, to ensure staff can implement expeditious efforts to develop shelter solutions that are safe and meet basic habitability standards and increased capacity; and

WHEREAS, the Purchasing Agent has reviewed proposed purchasing procedure and the terms and conditions of the agreement and finds them to be consistent with market rates and good purchasing practices.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the 2021 Master Product and Services Agreement, between the City and Pallet SPC, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the Mayor or the City Manager to execute same.

Presented by

Approved as to form by

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Tiffany Allen  
Director of Development Services

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Glen R. Googins  
City Attorney