

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA AMENDING THE AMERICAN RESCUE  
PLAN ACT SPENDING PLAN; WAIVING COMPETITIVE  
BIDDING REQUIREMENTS AND APPROVING AN  
AGREEMENT WITH THE ALPHA PROJECT; AND  
REALLOCATING FUNDS THEREFOR

WHEREAS, on March 11, 2021, the United States Congress passed the American Rescue Plan Act of 2021 (“ARPA”) – CDFA 21.027, which provides fiscal relief funds to State and Local Governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic; and

WHEREAS, ARPA is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses; and

WHEREAS, ARPA includes State and Local Fiscal Recovery Funds to support urgent COVID response efforts to decrease the spread of the virus; to replace lost public sector revenue to strengthen support for vital public services; to support immediate economic stabilization for households and businesses; and to address systemic public health and economic challenges that have contributed to unequal impacts of the pandemic on certain populations; and

WHEREAS, the United States Department of Treasury has adopted the interim final rule as guidance regarding the use of ARPA Funds; and

WHEREAS, the City of Chula Vista will receive \$57,535,251 in two tranches with \$28,767,625 provided in May 2021 and the remaining \$28,767,625 to be received twelve months later; and

WHEREAS, the City Council intends to expend a portion of the first tranche of the City’s ARPA Funds in accordance with Federal Law and guidance, for the current critical needs and priorities including job training opportunities while providing community clean-up services; and

WHEREAS, the City has identified a new activity under the public health category which addresses an urgent need within the community; and

WHEREAS, City previously contracted with the Alpha Project to administer the Take Back the Streets Program (“Program”) which provides the homeless with immediate transitional employment and training while providing the community with vital cost saving services through the removal of trash and debris throughout Chula Vista; and

WHEREAS, in order for an outside agency or City Department to receive and operate a federally funded activity, they must formally enter into a Subrecipient Agreement; and

WHEREAS, the purpose of the proposed agreement is to continue to operate the Program with additional funding obtained through ARPA and to fulfill the requirement to enter into a Subrecipient Agreement; and

WHEREAS, pursuant to Chula Vista Municipal Code section 2.56.090.B.3 (referencing section 2.56.070.B.3) the City Council may waive competitive bidding requirements for contracts of \$100,000 or less where the City's interests would be materially better served by applying a different purchasing procedure approved by the Purchasing Agent; and

WHEREAS, contracting with the Alpha Project would materially better serve the City's interest because the Alpha Project provides a unique benefit to the community in the form of immediate transitional employment and training for the homeless population at vital costs savings for trash and debris removal throughout Chula Vista; and

WHEREAS, the Purchasing Agent has approved the purchasing procedure for the proposed agreement; and

WHEREAS, Staff has determined that the Alpha Project is experienced and staffed in a manner such that they can prepare and deliver the services required by the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Chula Vista that it:

1. Pursuant to Chula Vista Municipal Code section 2.56.090.B.3 (referencing section 2.56.070.B.3), waives competitive bidding requirements for the award of the Contractor/Service Provider Services Agreement with Alpha Project To Provide Employment Opportunities and Community Clean-Up Due to the Public Health Emergency With Respect To The Coronavirus Disease 2019 (Covid-19).
2. Approves the City of Chula Vista Contractor/Service Provider Services Agreement with the Alpha Project To Provide Employment Opportunities and Community Clean-Up Due to the Public Health Emergency With Respect To The Coronavirus Disease 2019 (Covid-19), in the form presented, with such minor modifications as may be required or approved by the City Attorney, authorizes and directs the City Manager to execute the agreement, and directs a copy of the agreement to be kept on file with the Office of the City Clerk.
3. Amends The American Rescue Plan Act Spending Plan and reallocates funds within the American Rescue Plan Act 2021 Fund (Fund 268) as follows:

Economic Development Category - Choose Chula project	(\$100,000)
Public Health Category – Alpha Project	\$100,000

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