



County of Fresno

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Legislation Text

File #: 18-0643, **Version:** 1

DATE: July 10, 2018

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: FY 2018-19 Retroactive Agreement with the Economic Development Corporation serving Fresno County

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of services to promote and market the resources and economy of Fresno County; and**
- 2. Approve and authorize the Chairman to execute a sole source retroactive Agreement with the Economic Development Corporation serving Fresno County to promote and market the resources and economy of Fresno County, effective July 1, 2018 through June 30, 2019 (\$38,000).**

Approval of the recommended actions will ensure that Economic Development Corporation serving Fresno County (EDC) provides businesses with technical assistance to encourage the location of new industry and the retention and expansion of existing businesses within the cities and unincorporated communities of Fresno County. The retroactive agreement term is July 1, 2018 to June 30, 2019 and is recommended at \$38,000, no increase from FY 2017-18. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose to make the assignment of economic development responsibilities to another organization. However, the recommended action is consistent with the Board's ongoing assignment of the County's current economic development responsibilities, including the revision of the County's Comprehensive Economic Development Strategy (CEDS), to the EDC. At the drafting of this Board Item, it is expected your Board will adopt funding as proposed in the FY 2018-19 Recommended Budget.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

It is requested that the County waive the competitive bidding process under Administrative Policy No. 34 under "unusual or extraordinary circumstances" exception, as the EDC is the only vendor suited, equipped and authorized to perform economic development tasks and activity for Fresno County as provided above. Purchasing supports the justification to waive the competitive bidding process.

RETROACTIVE AGREEMENT:

The recommended Agreement is retroactive to July 1, 2018 due to slight delays in negotiations. The agreement was finalized on June 7, 2018 and signed by the EDC on June 8, 2018.

FISCAL IMPACT:

There is an additional \$38,000 in Net County Cost associated with the recommended action. Sufficient appropriations will be included in the FY 2018-19 Recommended Budget in Org 2540 Interest and Miscellaneous Expenditures, Account 7845 - Support of Organizations (\$38,000). Payments will be remitted after each FY 2018-19 Quarter; EDC is required to submit quarterly activity reports along with invoices within 30 days after the end of each quarter.

DISCUSSION:

Through this Agreement, the EDC agrees to continue providing overall expertise and assistance in achieving the objectives of Fresno County's CEDS. These objectives include job creation, diversification of economic base, and preparation of the labor force. The recommended Agreement allocates funds (\$38,000) to the EDC based on goals designed to target specific economic development tasks and activities, including:

1. **Business Technical Assistance:** In an effort to encourage the location of new industry within the cities and unincorporated communities of Fresno County and to retain and expand those businesses on a one-to-one basis, assistance can include location of product packaging, identifying financing options, screening for eligible tax incentive programs, and making referrals to partner agencies for additional services, such as employee recruitment, marketing, business plan development, and energy efficiency assessments.
2. **Economic Development Objectives:** The EDC will maintain, monitor, and draft any required revisions of the County's CEDS for the County's approval and help the County achieve its economic development objectives as set forth in the CEDS.

On May 2, 2017, the EDC provided the County with a CEDS revision that was submitted to the United States Department of Commerce, Economic Development Administration (EDA).

Copies of the EDC "Business Expansion, Attraction, and Retention Report" covering the first three quarters in FY 2017-18 are included for your Board's review.

Section 10 of the Agreement contains the insurance coverage and language currently approved for use in the County's model contract. Risk Management has recently proposed that the insurance coverage and language in the County's model contract be revised. County Counsel and Risk Management will be working on these changes over the next several months. However, the Department has a need to move forward with this contract to address service needs, and the Department believes the insurance coverage required in Section 10 of the Agreement adequately protects the interests of the County in this contract. Therefore, it is recommended your Board approve the recommended Agreement in its current form.

REFERENCE MATERIAL:

BAI #36, June 20, 2017
BAI #21, June 21, 2016
BAI #25, October 13, 2015
BAI #32, August 26, 2014
BAI #30, October 8, 2013
BAI #35, April 23, 2013
BAI #40, August 9, 2011

ATTACHMENTS INCLUDED AND/OR ON FILE:

Sole Source Acquisition Request
EDC FY 2018 Quarter 1 Activity Report
EDC FY 2018 Quarter 2 Activity Report
EDC FY 2018 Quarter 3 Activity Report
On file with Clerk - Agreement with EDC

CAO ANALYST:

Juan Lopez