



INFORMAL STAFF REPORT

MEMORANDUM

TO: Margie C. Rose, City Manager

FROM: E. Jay Ellington, Interim Assistant City Manager

DATE: February 8, 2017

SUBJECT: Al Kruse Tennis Center Solicitation

Investigation:

As directed by the City Manager, the Interim Assistant City Manager conducted a fact finding investigation which included: reviewing the Purchasing Department's specifications and process for issuing RFP's, the process for scoring proposers to the RFP, the review process for proposers who met the minimum qualifications, and reviewing the signed petition, citizens comments and interviews.

Issue/Problem:

Although the City's solicitation language prohibits contact by proposers/bidders, the short term contractor recently contacted City Council members about not being recommended for award of the new contract that is scheduled to be heard by Council in February. In addition, a person representing the incumbent is also contacting Council members and staff questioning why the incumbent was not being selected.

The following addresses these issues and concerns to include discussion, conclusions and recommendations.

Backgrounds and Findings:

Ronald Elizondo, a tennis pro, was selected to take over the existing short term contract when the former contractor running the center retired. A short-term professional services contract was issued to Mr. Elizondo in June of 2016 for a six-month period that contained a drastically reduced scope necessary to keep the tennis center open until such time as a new solicitation could be developed and new contract awarded. Staff were clear that

this was a temporary contract and that five years of experience would be needed to obtain the permanent contract. This requirement was also in the previous two solicitations that were issued in 2013.

A request for proposals (RFP) was publicly advertised and open for proposals in October of 2016 for the full services of operating the tennis center which includes the operation of the Pro Shop. The RFP contained a set of instructions to be followed. The RFP also contained set evaluation criteria, including minimum requirements that the proposers would need to meet, and an applicable point system that the proposals would be evaluated upon.

A pre-proposal meeting was held October 14, 2016 to discuss the requirements of the solicitation. Mr. Elizondo did not attend this conference. A period for questions was allowed and all responses to those questions were sent to all participants. Proposals were due in November of 2016. Five proposals were received, one of which was past the deadline and therefore deemed non responsive, a second one belonging to the incumbent was submitted on time but was also deemed non responsive for failing to comply with a number of required areas of the RFP (for example, failing to follow RFP instructions, lack of required information and less than five years of experience). The remaining three went on to be evaluated by the selection committee, which included an interview to confirm understanding of the scope. These proposers' scores were then tallied and ranked and ranged between a low of 54 points to a high of 76 points. Staff is recommending award to the highest ranked proposer.

In our follow up to citizen concerns, the Interim Assistant City Manager E. Jay Ellington, held meetings with Mr. Elizondo and Mrs. Beaty. Mr. Ellington reviewed the petition signed by 188 users of the center and was informed by Mr. Elizondo that he did not have the required 5 years of pro-shop operation experience that was required. This requirement has been a part of our specifications for the last two RFP issuances for tennis center operators.

Conclusion:

In conclusion, we understand that Mr. Elizondo is concerned about no longer having the contract at the Al Kruse tennis center as a tennis pro, however a procurement process was followed that was fair and without bias to select the most qualified firm to run this center. The department has a need for a company that is experienced in running a center that includes a pro shop that generates revenue for the City. Staff stands behind the recommendation to award the contract to the company that was deemed most qualified and provides the best value to the City and its citizens.

Should there be any further questions or concerns about this issue, please contact Stacie Talbert Anaya, Parks and Recreation at 361.826.3476 or email at staciet@cctexas.com or Kim Baker, Purchasing at 361.826.3169 or email at kimb2@cctexas.com.