

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AWARDED PROFESSIONAL SERVICES CONTRACT TO CUMMING MANAGEMENT GROUP, INC., A CORPORATION, FOR ON-CALL LABOR COMPLIANCE SERVICES, IN AN AMOUNT NOT TO EXCEED \$300,000 FOR A THREE YEAR TERM, AND AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO EXECUTE SAME

WHEREAS, § 3-5.500 of the Municipal code provides that an RFP or RFQ process is found to be an effective and efficient way to procure professional services and procurement of professional services shall be based on proposals solicited from capable professionals and be evaluated based on a combination of factors including education, training, experience and demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required; and

WHEREAS, § 3-5.540 of the Municipal Code provides that contracts for professional services estimated to cost more than One Hundred Thousand and no/100ths (\$100,000.00) Dollars must be awarded by the Council, and that the selection will be based on demonstrated competence and on the education, training and experience and professional qualifications necessary for the satisfactory performance of the services required, that cost will not be the only basis for selection, use a qualifications-based selection process as described in subdivision (a) of § [4527](#)¹ of the California Government Code and negotiated as described in § [4528](#); and

WHEREAS, a Request for Proposal (RFP) was issued on April 26, 2024, asking for qualified consultants to assist the City with on-call labor compliance services; and

WHEREAS, the deadline for submittal of Request for Statement of Qualifications was May 23, 2024; and

¹ All references to section numbers will be to the California Government Code

WHEREAS, a total of one firm submitted a proposal; these proposals were reviewed by City staff; and

WHEREAS, the Interim City Manager has recommended that the proposal from Cumming Management Group, Inc., be accepted as the best response.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution awarding contract to Cummings Management Group, Inc. for on-call labor compliance services does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and if a "project," is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. The Council awards a contract to Cumming Management Group, Inc., for on-call labor compliance services, in an amount not to exceed \$300,000, for a three (3) year term.

3. That the Contract for Consultant Services between the City of Watsonville and Cumming Management Group, Inc., a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

4. The Interim City Manager is hereby authorized and directed to execute said contract for and on behalf of the City of Watsonville with minor revisions that may be approved by the Interim City Manager and the City Attorney.
