

Memorandum



CITY OF DALLAS

DATE October 9, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT October 14, 2015 Code Compliance City Council Agenda Item

On Wednesday, October 14, 2015, City Council will consider authorizing a contract with Bureau Veritas North America, Inc. to conduct food handling inspections at fixed food facilities, mobile units and temporary events throughout the City.

The service will be used to maintain the City Code requirement of conducting an inspection at least once during each six-month period at fixed food facilities. The City maintains twenty-two food districts with an average of 300 fixed food facilities in each food district. This contract is needed to ensure that attrition in sanitarian positions doesn't impact the ability of the City to meet inspection requirements. The City started using contracted inspections in FY 2011-12 to assist with fixed food facility inspections and has continued the contracted service through FY 2014-15 at a cost of \$125 per inspection.

The agenda information sheet for this item, and map of food districts are attached to this memo. Please contact me if you have any questions.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

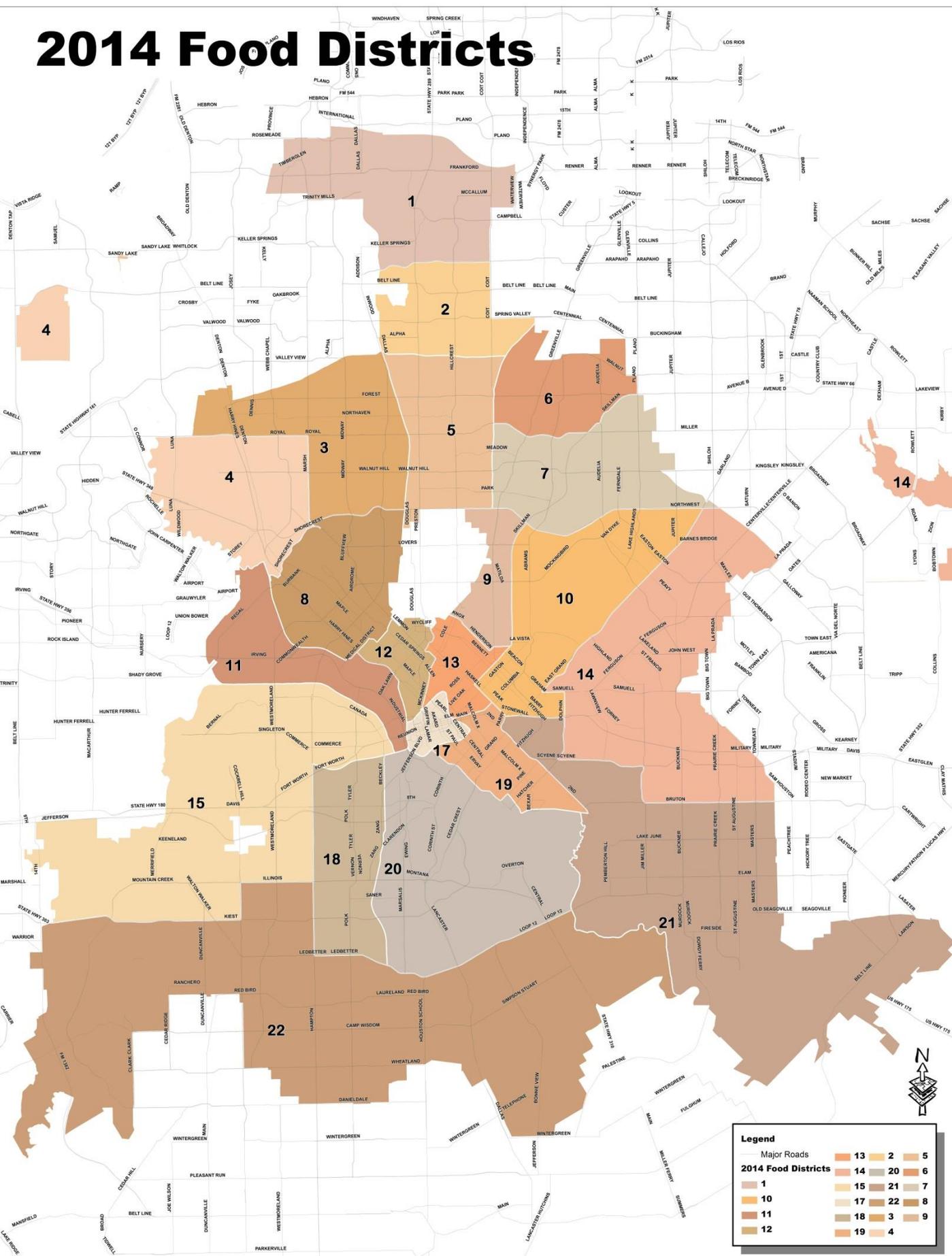
Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

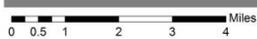
2014 Food Districts



Legend

Major Roads

13	2	5
14	20	6
1	15	21
10	17	22
11	18	3
12	19	4



KEY FOCUS AREA: Public Safety

AGENDA DATE: October 14, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Code Compliance

CMO: Jeanne Chipperfield, 670-7804
Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for food establishment inspections – Bureau Veritas North America, Inc., most advantageous proposer of two – Not to exceed \$340,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This contract will provide contracted food establishment inspection services for fixed food facility locations, mobile food units and temporary events throughout the City. This contract will be used to augment City staff.

Code Compliance conducts approximately 13,500 food establishment inspections annually between food establishment inspections and temporary event inspections as required by the Texas Food Establishment Rules and the City of Dallas Code of Ordinance - Chapter 17.

A six member committee from the following departments reviewed and evaluated the proposals:

- Code Compliance (1)
- Convention and Event Services (1)
- Human Resources (1)
- Park & Recreation (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and cost.

BACKGROUND (Continued)

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 55%
- Experience and capability 30%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,132 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on October 12, 2015.

FISCAL INFORMATION

\$340,000.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

240 - Vendors contacted
239 - No response
 1 - Response (Bid)
 0 - Response (No Bid)
 0 - Successful

1,132 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Bureau Veritas North America, Inc.

White Male	37	White Female	20
Black Male	1	Black Female	0
Hispanic Male	5	Hispanic Female	3
Other Male	2	Other Female	2

PROPOSAL INFORMATION

The following proposals were received from solicitation number BPZ1507 and were opened on April 30, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Bureau Veritas North America, Inc.	1000 Jupiter Road Suite 800 Plano, TX 75074	91%	\$340,000.00
A + Food Industry Inspections, Inc.	8316 Pinnacle Drive Frisco, TX 75033	78%	\$374,000.00

OWNER

Bureau Veritas North America, Inc.

Pedro Guimaraes, President
Heather B. Bush, Vice President

October 14, 2015

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is authorized to execute a service contract with Bureau Veritas North America, Inc. (VS0000019283) for food establishment inspections for a term of three years in an amount not to exceed \$340,000.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Bureau Veritas North America, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Bureau Veritas North America, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$340,000.00 (subject to annual appropriations).

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Memorandum



CITY OF DALLAS

DATE October 9, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **October 14, 2015 Park and Recreation Department City Council Agenda Item**

On Wednesday, October 14, 2015, the Dallas City Council will consider the following agenda item:

- Agenda Item #24 – Contract Renewal – Authorize a five-year contract with two five-year renewal options for trustee services for the Park and Recreation Trust of the City of Dallas - Bank of Texas. This item was approved by the Dallas Park and Recreation Board on Thursday, October 1, 2015.

On May 4, 1970, the Park and Recreation Board authorized the creation of a discretionary investment account with Republic National Bank of Texas entitled "Park and Recreation Trust Fund of the City of Dallas". Assets totaling \$257,886 from the Grauwlyer Memorial Fund, Martin Weiss Park Fund and Craddock Park Fund were combined to establish the trust. Earnings from the combined assets were to be prorated on the following ratio of original participating deposits to the total value of the corpus: Craddock Park Fund 83%, Grauwlyer Park Fund 9%, and Martin Weiss Park Fund 8%. The market value of the trust as of August 31, 2015 was \$1,072,724.64.

The Department now seeks authorization to enter into a contract with Bank of Texas N.A. establishing the financial entity as the custodian and trustee of the Park and Recreation Trust Fund of the City of Dallas.

A City Council agenda sheet is attached with this memo to provide further details. If you have any questions, please contact me at 214-670-4071.

A handwritten signature in cursive script that reads "Willis C. Winters".

Willis C. Winters, FAIA, Director
Park and Recreation Department

Attachments

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
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Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

AGENDA ITEM # 24

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 14, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a five-year contract with two five-year renewal options for trustee services for the Park and Recreation Trust of the City of Dallas - Bank of Texas N.A., only proposer - Financing: No cost consideration to the City

BACKGROUND

On May 4, 1970, the Park and Recreation Board authorized the creation of a discretionary investment account with Republic National Bank of Texas entitled "Park and Recreation Trust Fund of the City of Dallas". Assets totaling \$257,886 from the Grauwlyer Memorial Fund, Martin Weiss Park Fund and Craddock Park Fund were combined to establish the trust. Earnings from the combined assets were to be prorated on the following ratio of original participating deposits to the total value of the corpus: Craddock Park Fund 83%, Grauwlyer Park Fund 9%, and Martin Weiss Park Fund 8%. The market value of the trust as of August 31, 2015 was \$1,072,724.64.

Over the course of many years, the trustee changed from Republic National Bank of Texas to U.S. Trust. In January 2014, U.S. Trust notified the City that it could no longer serve as Trustee of the Park and Recreation Trust Fund due to the passage of the Dodd-Frank Wall Street Reform and Consumer Protection Act and Municipal Advisor Regulations issued pursuant to the Dodd-Frank Act.

On June 26, 2014, Administrative Action No. 15-5899 transferred the trust fund from U.S. Trust to Bank of Texas N.A. The Department has since submitted a Request for Competitive Sealed Proposals to secure trustee services through a multi-year contract. Bank of Texas N.A. was the only proposer. The Department now seeks authorization to enter into a contract with Bank of Texas N.A. establishing the financial entity as the custodian and trustee of the Park and Recreation Trust Fund of the City of Dallas.

BACKGROUND (Continued)

The contract term is for five years and includes two five-year contract renewal options with the City of Dallas in accordance with the following deal points:

1. The initial term of the agreement will be from October 2015 to September 2020, with two five-year renewal options.
2. Bank of Texas N.A. shall open and maintain custodian and trustee, a discretionary investment account entitled Park and Recreation Trust Fund of the City of Dallas.
3. Bank of Texas N.A. will review investments held in the account regularly and, without obtaining additional instructions from the City and make such sales, exchanges or reinvestments or to take any action which the trustee deems necessary or desirable in connection with the property of the Park and Recreation Department of the City of Dallas, held for it in trust.
4. Bank of Texas N.A. when exercising investment discretion as trustee shall be limited to investing in securities of the type appropriate for trust funds with the needs and investment horizon that are consistent with the history of this trust. Trustee will be required to act in good faith and in conformity with Texas Trust Code, as amended from time to time.
5. Bank of Texas N.A. shall render quarterly statements to the Park and Recreation Board of the City of Dallas setting forth the property held in trust for it in the said account the transactions therein including the amount of interest or other income earned by said trust fund during the previous quarter.
6. Bank of Texas N.A. shall advise the Park and Recreation Board of changes as they are made in the trust fund in accordance with normal procedures.
7. Bank of Texas N.A. shall brief the Park Board annually on the overall performance of the investments.
8. Bank of Texas N.A. shall transmit a statement to the Park and Recreation Board quarterly with one-quarter of the annual fee agreed upon by all parties involved.
9. Bank of Texas N.A. shall make available to the City of Dallas Park and Recreation Department the option to open and maintain as custodian and trustee additional discretionary investment accounts should the need arise.
10. The Park and Recreation Board reserves the right to withdraw any or all of the corpus, or any growth which might accrue to the original corpus, of this trust by the passage of a Park Board resolution to this effect which when certified by the Secretary of the Board and delivered to the trustee shall become effective for such withdrawal.

BACKGROUND (Continued)

11. The trust agreement may be terminated at any time by written notice either by the Park and Recreation Board or by Bank of Texas N.A.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a five year contract with two five-year renewal options with Bank of Texas on September 3, 2015.

Information about this item was provided to the Quality of Life & Environment Committee on September 28, 2015.

FISCAL INFORMATION

No cost consideration to the City.

Management fees are deducted directly from investment earnings held in the trust fund.

M/WBE INFORMATION

- 31 - Vendors contacted
- 31 - No response
- 0 - Response (Bid)
- 0 - Response (No Bid)
- 0 - Successful

200 M/WBE and Non-M/WBE vendors were contacted.

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Bank of Texas N.A.

White Male	1554	White Female	1974
Black Male	75	Black Female	235
Hispanic Male	182	Hispanic Female	295
Other Male	128	Other Female	238

PROPOSAL INFORMATION

The following proposal was received from Request for Competitive Sealed Proposal BKZ1516 and opened on April 8, 2015. This service contract is being awarded in its entirety to the only proposer.

*Denotes successful proposer

<u>Proposer</u>	<u>Address</u>	<u>Management Fee</u>
*Bank of Texas N.A.	5956 Sherry Lane, Suite 1201 Dallas, TX 75225	\$46,850.00

OWNER

Bank of Texas N.A.

Steven G. Bradshaw, President and Chief Executive Officer

October 14, 2015

WHEREAS, on May 4, 1970, the Park and Recreation Board authorized the creation of a discretionary investment account with Republic National Bank of Texas entitled “Park and Recreation Trust Fund of the City of Dallas”. Assets totaling \$257,886 from the Grauwlyer Memorial Fund, Martin Weiss Park Fund and Craddock Park Fund were combined to establish the trust. This action was ratified by the City Council on May 11, 1970. The market value of the trust as of August 31, 2015 was \$1,072,724.64; and

WHEREAS, over the course of many years, the trustee changed from Republic National Bank of Texas to U.S. Trust; and

WHEREAS, in January 2014, U.S. Trust notified the City that it could no longer serve as Trustee of the Park and Recreation Trust Fund due to the passage of the Dodd-Frank Wall Street Reform and Consumer Protection Act and Municipal Advisor Regulations issued pursuant to the Dodd-Frank Act; and

WHEREAS, in March 2015, the Park and Recreation Department solicited a Request for Competitive Sealed Proposal to secure a multi-year contract for trustee services; and

WHEREAS, on April 8, 2015, one proposal was received for trustee services for the Park and Recreation Trust of the City of Dallas.

<u>Proposer</u>	<u>Address</u>	<u>Management Fee</u>
Bank of Texas N.A.	5956 Sherry Lane, Suite 1201 Dallas, TX 75225	\$46,850.00*

*Management fees are deducted from investment earnings held in the trust fund.

NOW, THEREFORE,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a five-year contract for trustee services for the Park and Recreation Trust of the City of Dallas with Bank of Texas N.A. The contract term includes two five-year contract renewal options.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Bank of Texas N.A., after approval as to form by the City Attorney.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: E-Gov
AGENDA DATE: October 14, 2015
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Sanitation Services
CMO: Joey Zapata, 670-3009
MAPSCO: N/A

SUBJECT

Authorize ordinances granting three franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$17,800

BACKGROUND

Each solid waste hauler operating in Dallas must apply for and receive a franchise to operate a solid waste collection service in the city. For a company to be submitted to City Council for franchise consideration, Sanitation Services requires the company to meet certain preliminary minimum provisions before a franchise application will be considered. Preliminary provisions include providing proof of meeting minimum insurance requirements, confirmation that the company is registered to do business in the State of Texas, the company's intent to pick up and haul solid waste in the City of Dallas, a list of vehicles that are Code compliant, payment of all city taxes (if applicable) and no past history by principals of the company operating a franchised hauling business as a principal that went out of business owing the City franchise fees or disposal fees. These businesses have met all of the preliminary requirements to be considered for a franchise ordinance.

These franchise ordinances include amended language that will require the City to approve transfer of ownership or sale of assets in accordance with the City Charter, tightens the reporting and payment provisions, clarifies the requirements for annual certificate of insurance renewal submissions, limits the franchise term to 5 years, and includes a council franchise amendment and acceptance process.

There are currently 199 approved franchise ordinances in Dallas. As part of the franchise agreement franchisees shall pay a fee of not less than four percent of the gross receipts resulting from the operation of the solid waste collection service within the city.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On September 27, 2006, Council authorized an amendment to the Dallas City Code to include a franchise fee method for regulating solid waste haulers, by Ordinance No. 26478.

Information about this item will be provided to the Quality of Life & Environmental Committee on October 12, 2015.

FISCAL INFORMATION

\$17,800.00 - Estimated Annual Revenue

Memorandum



DATE October 9, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Upcoming Agenda Item on the October 14, 2015 Council Agenda – Contract with the Department of State Health Services (DSHS) to provide on-line computer services to the City’s Bureau of Vital Statistics**

On Wednesday, October 14, 2015, the Dallas City Council will consider an agenda item to authorize a new twenty-four-month contract with the Department of State Health Services (DSHS) to provide on-line computer services for the City’s Bureau of Vital Statistics to obtain certified copies of birth certificates at a cost of \$1.83 for each birth certificate printed. This arrangement has been in place with DSHS for many years.

The agenda item is attached with this memo to provide further details. Please contact me if you have any questions or need additional information.



Mark McDaniel
Assistant City Manager

c: The Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
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Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Council Office

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 14, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: N/A

SUBJECT

Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each birth certificate printed for the period September 1, 2015 through August 31, 2017 - Not to exceed \$25,000 annually for a total not to exceed \$50,000 - Financing: Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

BACKGROUND

The City of Dallas' Bureau of Vital Statistics is responsible for registering births, deaths and fetal deaths that occur within the City of Dallas and provides over 99,000 certified birth and death certificates annually to qualified individuals that apply either in-person, by mail, or via the Internet.

Through this contract, the City will pay the Department of State Health Services \$1.83 for each birth record printed. The annual cost owed to the Department of State Health Services will vary each year based on the number of records printed.

Vital Statistics is part of the non-departmental budget and therefore, Current Funds will reimburse the Water Department for the operation of Vital Statistics.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life & Environment Committee on October 12, 2015.

FISCAL INFORMATION

\$50,000 - Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

October 14, 2015

WHEREAS, it is the goal of the City of Dallas to provide faster and expanded services to citizens seeking vital records from the City's Bureau of Vital Statistics program; and

WHEREAS, the City has installed computer terminals that will allow direct access to birth certificate information in the Department of State Health Services' computer system; and

WHEREAS, the City will pay the Department of State Health Services \$1.83 for each birth certificate printed;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a twenty-four-month contract with the Department of State Health Services to provide on-line computer services to the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each birth certificate printed for the period September 1, 2015 through August 31, 2017, and execute any and all documents related to the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Water Utilities Current Fund in an amount not to exceed \$50,000 (subject to annual appropriations) as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>	FY15
0100	DWU	4012	3099	CTDWU4012L1623M	214083	

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>	FY16
0100	DWU	4012	3099	CTDWU4012L1718M	214083	

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.