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TO: The Honorable City Council

FROM: David Whitaker, Director
Legislative Policy Division Staff

DATE: March 23, 2021

RE: **REVIEW OF CONTRACTS AND PURCHASING FILES**

Attached is the list of contracts submitted by the Office of Contracting and Procurement for the regular session of March 23, 2021.

The contracts submitted were included on the City Council's Agenda for referral to the Committee for review and report back to the City Council.

The comments and review of the Legislative Policy Division staff are printed in bold following the contract.

Attachments

cc:

Janice Winfrey
Mark Lockridge
Boysie Jackson
Irvin Corley
Marcell Todd
Avery Peoples

City Clerk
Auditor General
Office of Contracting and Procurement
Legislative Policy Division
Legislative Policy Division
Mayor's Office

Contracts Submitted to City Council for
Session of March 23, 2021

Statistics compiled for the list submitted for March 23, 2021.

Department	No. of Contracts or Purchase Orders	Detroit-Based Business Bids	Change, Extension Increases, Renewals	Located in Detroit
Elections	1	0	0	0
General Services	1	0	1 Amendment	0
Homeland Security 1 Contract for City-Wide Mass Communication System	1	0	0	0
Law	2	0	1 Amendment	0
Transportation	1	0	1 Amendment	1
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Totals	6	No Detroit-Based Bids	3 Amendments	1

Contracts and Grants Submitted to City Council
Regular Session of March 23, 2021

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Statistics compiled for the Contracts submitted for March 23, 2021.

This list represents costs totaling \$687,466.83¹

No Demolition contracts were submitted.

Included in the total costs are the following:

General Fund	\$ 136,400.00
Bond Funds	\$ 236,066.83
Grant Fund	\$ 315,000.00

¹ The contract list includes: 3 Amendments to extend and extend/increase costs; 3 New contracts for one-time purchases and terms of 3 years.

TO: THE HONORABLE CITY COUNCIL

FROM: David Whitaker, Director
Legislative Policy Division Staff

DATE: March 23, 2021

RE: **CONTRACTS AND PURCHASE ORDERS SCHEDULED TO BE CONSIDERED AT
THE FORMAL SESSION OF MARCH 23, 2021**

ELECTIONS

3048368 100% City Funding – To Provide Payment for Parking Spaces during the November 2020 Election. – Contractor: Wayne Parking, LLC – Location: 23260 Sibley, Riverview, MI 48193 – Contract Period: Upon City Council Approval through March 22, 2022 – Total Contract Amount: \$36,400.00.

Costs budgeted to General Fund, Acct. 1000-00181-710042-627230-0-0, Appropriation for Conduct of Elections includes available funding of \$2,583,142 as of March 19, 2021.

This request is for payment of an invoice, dated Sept. 24, 2020, from Wayne Parking for parking arrangements at 838 W. Milwaukee. The invoice indicates 100 [spaces] at \$7.00 each for 52 days, for the total cost of \$36,400. Terms and conditions identified on the invoice indicate that “Lights will be installed, Attendant will be on duty during day time.”

Additional parking was required for the November 2020 election, because more staff was required, than anticipated, due to the “influx” of Absentee Voting ballots. This parking lot was chosen due to its proximity to the Elections Offices on Grand Blvd.

Authorization to proceed with the processing of this request as an “Unauthorized Purchasing Request” approved by the Office of Contracting and Procurement on February 4, 2021.

Covenant of Equal Opportunity Affidavit signed 9-18-20;

TAXES: Good Through 2-9-22;

Hiring Policy Compliance Affidavit signed 9-18-20, Employment application

Slavery Era, Prison Industry & Immigrant Detention System Records Disclosure Affidavit signed 9-18-20, indicating NO records of Income, Investment or Employment with these systems;

Political Contributions and Expenditures Statement signed 9-18-20, indicating “None”.

GENERAL SERVICES

6002509 100% 2018 UTGO Bond Funding – AMEND 1 – To Provide an Extension of Time and an Increase of Funds for Fireboat Station and Seawall Improvements. – Contractor: DeAngelis Diamond Construction, LLC – Location: 3955 Orchard Hill Place Suite 235, Novi, MI 48375 – Contract Period: July 1, 2021 through June 30, 2022 – Contract Increase Amount: \$236,066.83 – Total Contract Amount: \$776,066.83.

Original Contract Period: December 12, 2019 through June 30, 2021

Costs budgeted to Bond Fund, Acct. 4503-21001-470010-631100-474001-02009, Appropriation for UTGO Bonds, Series A includes available funding of \$16,891,523 as of March 19, 2021.

This request is for approval of Amendment 1, to extend the term of the contract by 1 year, through June 30, 2022, and increase costs by \$236,066.83 for a new contract total of \$776,066.83 for the Seawall restoration and Renovation of the Fireboat Station.

Contract 6002509, with DeAngelis Diamond Construction, was approved November 26, 2019 for the period through June 30, 2021, for authorized costs of \$540,000.

DeAngelis was chosen, out of 3 bids received, for their lower cost and being the only vendor bidding with extensive experience with seawalls. DeAngelis Diamond is based in Naples Florida; they have a satellite construction office in Novi, MI.

According to information in the Amendment, after assessing the facility, it was determined that rebuilding the seawall, along the canal side and Detroit River side, was critical to the infrastructure of the property and Fireboat Station. Previous improvements, including HVAC upgrades, generator installation and new window installation were removed, to focus on constructing a new seawall; documents and permits have been received from Army Corp and EGLE.

Work to include: selective demolition of existing seawall to allow space for new tie-rods; Raising water elevation due to high water levels; Sheets increased to 40 ft. in length; Installing concrete slab behind the wall; electrical for added lights for new boat dock; Regrade the construction area and re-seed.

Appears to have a subcontract with Mannik and Smith. Costs include a contingency fee of \$30,705.75. Work is anticipated to require 5 to 6 weeks, depending on weather.

Covenant of Equal Opportunity Affidavit signed 7-16-20;

TAXES: Good Through 10-27-21;

Hiring Policy Compliance Affidavit signed 8-5-20, Employment application submitted complies;

Slavery Era Records Disclosure Affidavit signed 5-18-20, indicating NO records to disclose;

Political Contributions and Expenditures Statement signed 5-18-20, No contributions identified.

Vendor indicates a Total Employment of 175; 4 Employees based in Novi; No Detroit residents

HOMELAND SECURITY

6003137 100% Grant Funding – To Provide a Mass Notification System which Sends Internal and External Communications Citywide via Text, Email and Social Media. – Contractor: OnSolve – Location: 780 W Granada Boulevard, Ormond Beach, FL 32174 – Contract Period: Upon City Council Approval through February 28, 2024 – Total Contract Amount: \$315,000.00.

Costs budgeted to COVID-19 Revenue Fund, Acct. 3922-20820-2321111-350999-0-0 Appropriation for BJA Coronavirus Emerg. Supplement includes available funding of \$1,228,850 as of March 19, 2021.

Proposals requested and 5 Proposals received, evaluated and scored on criteria of: Quality of Proposal, including tech. proposals to enhance City’s objective; Administrative and operational efficiency of the proposal; Project staff qualifications & experience; Experience with implementation of similar projects in other locations of comparable size; and Cost.

None of the proposals received any additional points as a Detroit based or headquartered business.

This recommendation is for the Proposal ranked the highest in all categories, received from OnSolve.

OnSolve demonstrated the best support for department requirements; Public safety oriented; judged best in the ease of use for the users and the public; GIS loaded by vendor; & Best Customer support.

Proposals also received from: Genasys, Everbridge, Blackberry, and Utronics.

The term of this contract is for 3 years, through February 28, 2024, with options to extend 2 additional years. The contract is for the establishment of a mass notification system that allows notifications to be sent to individuals and groups, to City employees or to City residents and visitors.

System to include: Unlimited text, email, web messages; Unlimited Facebook and Twitter posting; Unlimited SMS Messages within the US; Google Public Alerts integration; Multi-lingual capability [includes: Spanish, Arabic, Bengali and English]; Optional notifications - Residents may select which alerts they want to receive]; National Weather Service re-broadcasts; Attachment of documents, images and PDF.

The System will also be tied in to the State and Federal communications systems used in emergencies; Sirens and messaging can be targeted by zip code, streets or districts.

System support services are provided 24 hours per day, 7 days per week, 365 days per year.

The System fees are indicated to be \$105,000 per year, for 3 years, based on a population of 670,031.

Contract discussion continues on following page.

Homeland Security - *continued*

6003137 100% Grant Funding – To Provide a Mass Notification System which Sends Internal and External Communications Citywide via Text, Email and Social Media. – Contractor: OnSolve – Location: 780 W Granada Boulevard, Ormond Beach, FL 32174 – Contract Period: Upon City Council Approval through February 28, 2024 – Total Contract Amount: \$315,000.00.

Contract Discussion continues below:

Covenant of Equal Opportunity Affidavit signed 10-22-20;

TAXES: Good Through 10-23-21;

Hiring Policy Compliance Affidavit signed 10-22-20, Employment application submitted complies;

Slavery Era, Prison Industry & Immigrant Detention System Records Disclosure Affidavit signed 10-22-20, indicating NO records of Income, Investment or Employment with these systems;

Political Contributions and Expenditures Statement signed 10-22-20, indicating “None”.

Current contract for Citywide Emergency Online Notification System, No. 6002785 was approved in June 2020, with Granicus, for a 3 year term, through June 30, 2023, for a cost of \$141,880.57 [year, March 1, 2021 through Feb. 28, 2022 cost of \$47,221.44];

Contract 6001512, approved Week of Dec. 3, 2018, also with Granicus for subscription to their GovDelivery, a City-wide Emergency Online Notification System, for a period of 2 years, from March 1, 2018 through February 2020, for a cost of \$61,640.84.

Homeland Security Office indicates the proposed system offers much more in capabilities that are not available in the current mass communication system.

City Council may wish to inquire if the current contract with Granicus will be cancelled, and if the City is liable for any costs to the current vendor for canceling the contract 2 years before the expiration date of June 30, 2023.

LAW

6000554 100% City Funding – AMEND 10 – To Provide an Extension of Time Only for Legal Representation in the Case of Apex Laboratories International, Inc. vs. City of Detroit, Tax Tribunal Case No. 16-000724 through and including Trial and Appeal. – Contractor: Fink Bressack, PLLC – Location: 38500 Woodward Avenue Suite 350, Bloomfield Hills, MI 48304 – Contract Period: July 1, 2021 through December 31, 2022 – Total Contract Amount: \$0.00. *Total Contract Amount: \$2,570,000.00*

Previous Contract Period: January 1, 2021 through June 30, 2021

Costs budgeted to General Fund, Acct. 1000-000527-320010-613100-0-30119, Appropriation for Law Administration & Operation includes available funding of \$4,529,478 as of March 19, 2021.

This request is for approval of Amendment 10, to provide a time extension of 18 months, through December 31, 2022; for legal representation in the matter before the Tax Tribunal of Apex Laboratories v City of Detroit. There is no request for additional costs.

Contract 6000554 was initially approved Feb. 2017 for a period through June 30, 2018 and costs of \$100,000 for legal services in matters relating to the State Tax Tribunal. Previous 9 Amendments have extended the contract period 3 additional years to June 30, 2021, and increased costs by \$2,470,000 to a total of \$2,570,000. Amendments have added services for:

*Representation of the City in funding of cable services and settlement with Comcast;
Implementation of No-Fault reform legislation; Litigation in Towing matters;
Negotiation with State Dept. of Environmental Quality concerning the demolition program;
Represent City and city officials in matter of Dr. Derrick Coleman, Deborah Harper & River Rouge School Dist.
vs Detroit Dept. of Transportation, Michael Duggan and Outfront Media Group;
Legal assistance with Fire Dept., Act 312;
Challenge to the US Census Bureau's handling of follow-ups;
Representation of City Clerk and Election Commission with respect to an 2020 Election challenge.*

This request for an extension appears to be related to the initial purpose of the contract, representation of the City in the matter of Apex Laboratories before the State Tax Tribunal.

The Fees have varied, based on the matter: a blended rate of \$250 per hour; \$325 per hour for Census Bureau matter and the Nov. 2020 Election matters.

The initial fee for Apex Laboratory vs. City of Detroit before the Tax Tribunal was authorized at \$300 per hour.

Covenant of Equal Opportunity Affidavit signed 7-13-20;

TAXES: Good Through 1-26-22;

Hiring Policy Compliance Affidavit signed 7-13-20, Statement submitted that is signed by Applicant that the business did not inquire about criminal convictions until applicant determined to be qualified and given an interview;

Slavery Era, Prison Industry & Immigrant Detention System Records Disclosure Affidavit signed 7-13-20, indicating NO records of Income, Investment or Employment with these systems;

Political Contributions and Expenditures Statement signed 7-13-20, indicating 3 contributions 2016 thru 2018; 2 for Mayor and 1 for City Council candidate.

The Honorable City Council
Contracts Submitted for Referral at City Council Session
of March 23, 2021

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Law - continued

6003433 100% City Funding – To Provide Consulting, Deposition and Trial Testimony to the City of Detroit in Connection with the Marathon Oil’s Appeal to the Department of Administrative Hearings. – Contractor: Ranajit Sahu – Location: 311 North Story Place, Alhambra, CA 91801 – Contract Period: Upon City Council Approval through December 31, 2023 – Total Contract Amount: \$100,000.00.

Costs budgeted to General Fund, Acct. 1000-000527-320010-613100-0-30119, Appropriation for Law Administration & Operation includes available funding of \$4,529,478 as of March 19, 2021.

This request is for approval of this proposed contract with Ranajit Sahu, as an Independent Expert Witness, for consulting, deposition and trial testimony for the City of Detroit, in connection with the Marathon Oil’s appeal to the Department of Administrative Hearings.

The contract is for services beginning February 17, 2021; Payment is not to exceed \$100,000, based on an hourly rate of \$225 for consulting, and \$275 per hour for deposition and trial testimony.

Covenant of Equal Opportunity Affidavit signed 2-25-21;

TAXES: Good Through 2-26-22;

Hiring Policy Compliance Affidavit signed 2-25-21, Business is an individual, no employees to be hired;

Slavery Era, Prison Industry & Immigrant Detention System Records Disclosure Affidavit signed 2-25-21, indicating NO records of Income, Investment or Employment with these systems;

Political Contributions and Expenditures Statement signed 2-25-21, indicating “N/A”.

TRANSPORTATION

6002714 100% City Funding – AMEND 1 – To Provide an Extension of Time Only for Waste Removal Services. – Contractor: Birks Works Environmental, LLC – Location: 19719 Mt Elliott, Detroit, MI 48234 – Contract Period: March 4, 2021 through December 3, 2021 – Total Contract Amount: \$0.00.

Total Contract Amount: \$325,000.00 Original Contract Period: March 4, 2020 through March 3, 2021

Costs budgeted to Transportation Operation Fund, Acct. 5301-00149-200170-622200-0-0, Appropriation for Plant Maintenance includes available funding of \$2,121,333 as of March 19, 2021.

This request is for approval of Amendment 1 to extend the contract period by 9 months, through December 3, 2021; There is no request for an increase to the contract costs.

The reason for the contract extension, is for the continuation of existing services, and provide time to rebid these services.

Contract 6002714 was approved June 9, 2020, with Birks Works Environmental, for the term through March 3, 2021, for costs of \$325,000,

Contract services includes all labor, tools, materials, equipment and resources to be available on-call and as-needed to perform waste removal services for DDOT maintenance facilities. This contract is for the removal and disposal of motor oils and other substances that accumulate from the maintenance of the coaches; Recycle/dispose of light bulbs; provide power washing of the maintenance areas; Clean up any fuel spill that occur due to bus accidents; Removing gum and stains from the exterior of the Rosa Parks Transit Center; Empty and clean underground tanks located at the DDOT maintenance facilities.

Costs for services, indicated in March 2020, and appears to continue include: Hourly rates from \$90 to \$128; Clean/dispose of bird droppings for \$760 each; Solid Waste disposal at \$45 per cubic yard; Disposal of paint booth filters in a 55-gallon drum for \$205 per drum; Disposal of crushed oil filters in a 55-gallon drum for \$40 per drum. The estimated monthly cost was \$36,730.

Covenant of Equal Opportunity Affidavit signed 3-8-21;

TAXES: Good Through 2-9-22;

Hiring Policy Compliance Affidavit signed 3-8-21, Employment application submitted complies; Slavery Era, Prison Industry & Immigrant Detention System Records Disclosure Affidavit signed 3-8-21, indicating NO records of Income, Investment or Employment with these systems; Political Contributions and Expenditures Statement signed 3-8-21, indicating “None”.

In 2020, Vendor indicated a total of 10 employees; 1 Detroit resident employee.