



AGENDA REPORT

Public Works

DATE:	October 22, 2024
TO:	Mayor Martinez and Members of the City Council
FROM:	Daniel Chavarria, PE, Director of Public Works Robert Armijo, PE, Deputy Director of Public Works / City Engineer Junne Garcia, Associate Admin Analyst
Subject:	Resolution to Approve a Contract with 4Leaf Inc for the Sidewalk Vendor Ordinance Enforcement
FINANCIAL IMPACT:	The proposed expenditure of an amount not to exceed \$500,000 for the enforcement of the Sidewalk Vendor Ordinance shall be funded from the General Fund in Fiscal Year 2024-25 budget for the Mobile Vendor Program. These funds will cover costs related to the development of enforcement procedures, hiring of consultants, production of informational materials, and mapping of vendor locations. The expenditure will be charged to Account String: 01231031-400201-23058.
PREVIOUS COUNCIL ACTION:	June 25, 2024 July 2, 2024
STATEMENT OF THE ISSUE:	The City staff is requesting approval from City Council to approve a contract with 4Leaf, Inc. to effectively enforce its Sidewalk Vendor Ordinance, leveraging a piggyback procurement method based on the City of Pinole's competitively bid contract for code enforcement services. This contract will provide the necessary code

	enforcement support, while the City prepares to establish a permanent staffing solution.
RECOMMENDED ACTION:	APPROVE a resolution authorizing staff to enter into an on-call contract with 4Leaf, Inc. for an amount not to exceed \$500,000 to support enforcement activities for the Sidewalk Vendor Ordinance – Public Works Department (Daniel Chavarria 510-620-5478/Robert Armijo 510-620-5477/Junne Garcia 510-621-1332).

DISCUSSION:

The City of Richmond’s enforcement of the Sidewalk Vendor Ordinance is essential to ensure public safety, maintain clear pathways, and support an organized vending environment. As enforcement activities continue, additional resources are required. Staff is seeking Council approval to enter into an on-call contract with 4Leaf Inc. for enforcement services, with a contract limit of \$500,000. This contract will allow for scaling enforcement efforts as funding becomes available.

Rather than initiating a new procurement process, the City of Richmond is proposing to utilize a piggyback procurement method, which is permitted under California Public Contract Code Section 20118 and Richmond Municipal Code section 2.52.330. Piggyback procurement allows one public agency to leverage an existing competitively bid contract from another agency, provided that the procurement process complied with all applicable laws, and the services being procured are substantially similar to the services already covered in the existing contract. This method helps reduce costs, streamline the procurement process, and expedite service delivery while ensuring competitive pricing and compliance with public procurement requirements.

The City of Pinole conducted a competitive procurement process for building division plan check and on-call staffing services. The nature of the contract aligns with Richmond's code enforcement needs for the Sidewalk Vendor Ordinance. 4Leaf Inc. has extensive experience providing on-call services for municipalities, including regulatory compliance, inspections, and enforcement—functions that are critical for enforcing Richmond's ordinance. By piggybacking on Pinole’s contract, Richmond can efficiently secure the necessary services without a new competitive bidding process.

The Director of Public Works has conducted a meet and confer with the appropriate labor union to ensure that this approach aligns with the City's labor agreements. The consultation confirmed that there are no anticipated labor objections to contracting out these services, as the work 4Leaf Inc. will perform is considered supplemental to the

City's current staff resources. The department anticipates that this contract will be necessary only through the remainder of the fiscal year, after which a permanent staffing solution will be in place. The temporary nature of this contract ensures the City can meet its immediate enforcement needs without long-term dependency on external contractors.

As noted above, this contract complies with the Richmond Municipal Code (RMC) Section 2.52.330 Piggyback Procurement which allows for a "piggyback" purchase using another agency's purchase contract if it is deemed to be in the best interest of the City. Additionally, the City through its Community Development Department has worked with 4Leaf Inc. for many years and has been satisfied with their work. There is no qualified City of Richmond vendor that can provide this service.

The contract with 4Leaf Inc. will provide essential field support, allowing their code enforcement consultants to engage with sidewalk vendors, monitor compliance, and issue citations when necessary. They will work alongside City staff to ensure adherence to the ordinance while promoting public safety.

Moreover, the contract will support the development of Standard Operating Procedures (SOPs) for enforcement staff, ensuring actions are consistent, fair, and legally sound. The production of educational materials will also be facilitated through this contract, helping communicate the ordinance's requirements to vendors and promoting voluntary compliance.

The contract will be supported by the \$500,000 already allocated for enforcement activities and will be drawn down through Work Authorizations as needed.

Staff recommends that the Council approve the resolution authorizing the City to enter into a contract with 4Leaf Inc, based on the City's piggyback procurement process set forth in RMC section 2.52.330, to continue enforcement activities related to the Sidewalk Vendor Ordinance.

DOCUMENTS ATTACHED:

Attachment 1 – Resolution
Attachment 2 – Contract