

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 10/09/06	Item Number: <u>A-4</u>
AGENDA ITEM: Award of a Contract to Kramer Firm, Inc. for Inspection Services as Part of the Statistically Accurate Inspection Required by the Compliance Plan with Comcast (now Time Warner Cable)	
Contact Person/Dept.: Martin R. Cole, Phone Number: 310-253-6000 Assistant City Manager	
Fiscal Impact: Yes ☒ No ☐ General Fund: Yes ☒ No ☐	
Public Hearing: ☐ Action Item: ☒ Attachments: ☒	
Public Notification: Mater Notification List (10/04/2006); Jonathan Kramer (10/04/2006)	
Department Approval: Martin R. Cole (10/04/2006)	City Manager Approval: Jerry Fulwood (10/3/06)
City Controller Approval: Marlee Chang (10/3/06)	

RECOMMENDATION:

Staff recommends City Council award a contract to Kramer Firm, Inc. for Inspection Services as Part of the Statistically Accurate Inspection (SAI) required by the Compliance Plan with Comcast (now Time Warner Cable)

BACKGROUND:

Subsequent to significant negotiation with Comcast, the City Council adopted Resolution 2006-R006 which conditionally authorized the Assignment and Ultimate Transfer of Control of a Cable Television Franchise by Comcast Corporation to C-Native Exchange I, LLC, a Wholly-Owned Subsidiary of Time Warner Cable Inc. As part of that conditional approval, the City Council also approved a Compliance Plan the purpose of which was to implement corrective work on the cable system service drops throughout the City. The goal of the Compliance Plan is to improve the quality of cable television services to the Citizens of Culver City by improving the condition of the physical plant operated by Comcast.

Effective on August 1, 2006, the Cable Television Franchise between the City of Culver City and Comcast Cable Communications, Inc. was transferred to Time Warner Cable (hereinafter collectively Time Warner).

Operating pursuant to the Compliance Plan, staff has engaged the services of an "independent third-party statistician" to create a randomly sorted list to be used as part of the SAI. With completion of that list pending, it is recommended the

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City Council now consider award of a contract for inspection services related to the SAI.

DISCUSSION:

As part of the SAI, approximately 450 individual installations will be inspected by a "Field Inspection Crew" consisting of one City inspector and one representative of Time Warner. The SAI shall be considered successfully completed by Time Warner when 90% of the cable system drops comply with State and local codes and receive a "Pass" rating from the City inspector.

The hiring of a consultant inspector was anticipated in the Fiscal Year 2006/2007 Budget where an allocation was made for consultant inspector services. The Culver City Municipal Code provides for an exception to the competitive bidding requirements for professional services contracts. Because of Kramer Firm's general expert knowledge of cable television systems and specific knowledge of the City of Culver City's particular system, it is recommended the City Council award a contract for inspection services to Kramer Firm.

FISCAL ANALYSIS:

Sufficient funds for this contract have been included in the City Council Adopted Budget for Fiscal Year 2006/2007.

ATTACHMENTS:

1. Proposal and Statement of Qualifications (Kramer Firm, Inc.)

MOTION:

That the City Council:

1. Approve the proposal submitted by Kramer Firm, Inc. in an amount not to exceed \$21,400; and,
2. Authorize the City Attorney to prepare any necessary documents related to this Proposal; and,

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3. Authorize the City Manager to approve change orders in an amount not-to-exceed \$2,140 as necessitated by unforeseen circumstances; and,
4. Authorize the City Manager to execute the documents on behalf of the City.