



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jennifer Schembri

SUBJECT: SEE BELOW

DATE: November 15, 2021

Approved

Date

11/18/21

SUBJECT: REPORT ON REQUEST FOR PROPOSAL AND ACTIONS RELATED TO REGULATORY/PROGRAM SPECIFIC SAFETY TRAINING

RECOMMENDATION

Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with National Association of Training and Environmental Consulting (NATEC) and Safety Compliance Management (SCM) to provide regulatory/program specific safety training with an initial term beginning January 1, 2022 through December 30, 2024, with two options to extend annually through December 30, 2026 for total compensation for each contract not to exceed \$225,000 for the initial three-year term and a total amount not to exceed \$75,000 for Option 1 and \$75,000 for Option 2 for a maximum total amount of compensation not to exceed \$375,000 per agreement (\$750,000 total for both agreements), subject to annual appropriation of funds.

OUTCOME

Authorizing the City Manager to negotiate and execute agreements with NATEC and SCM will replace the current agreement with Safety Center, Inc. which expires on December 30, 2021.

BACKGROUND

The City contracts with vendors in order to provide safety training that meets CalOSHA regulatory standards as well as other regulatory agencies mandated health and safety standards. These vendors are utilized by multiple departments within the City including Environmental Services, Public Works, Transportation and Parks, Recreation and Neighborhood Services. The last Request for Proposal (RFP) for safety training was issued in 2015. The current RFP was updated to include virtual training options and also asked bidders to explain how safety training was modified to accommodate COVID-19 restrictions.

ANALYSIS

An RFP for regulatory/program specific safety training was released on September 1, 2021 with a due date of September 28, 2021. Pursuant to the RFP, the intent was for a three-year agreement with two one-year options to extend the agreement. Due to the complex nature of specialized safety trainings, the RFP indicated that more than one vendor may be selected. In the RFP process, an evaluation committee rated the proposals submitted.

There were three (3) proposals submitted and evaluated from the following vendors:

- National Association of Training and Environmental Consulting (NATEC)
- Safety Compliance Management (SCM)
- SMART Training

All proposals were evaluated and rated on the following criteria: Proposal Responsiveness, Experience and Qualifications, Firm Reputation/Customer Satisfaction, Cost Proposal, Local Business Enterprise, and Small Business Enterprise.

The scores of the three proposals received are provided in Table 1 below.

Table 1	Max Points	NATEC - Committee Average	Safety Compliance Management- Committee Average	SMART Training- Committee Average
FINAL SCORING				
Proposal Responsiveness (Pass/Fail)	Pass/Fail	Pass	Pass	Pass
Experience & Qualifications	35	32	34	20
Firm Reputation/Customer Satisfaction	35	30	26	17
Cost Proposal	20	19	18	5
Local Business Enterprise	5	0	0	0
Small Business Enterprise	5	0	0	0
Total Points	100	81	78	42

As NATEC and SCM received high overall scores through the RFP process and because each vendor offers specialized training classes and programs both in-person and virtually to comply with CalOSHA regulatory standards, staff recommends that the City Council authorize the City Manager to negotiate and execute agreements with NATEC and SCM to provide regulatory/program specific safety training for the City of San José.

EVALUATION AND FOLLOW-UP

No additional follow-up is anticipated at this time.

PUBLIC OUTREACH

This item will be posted on the City’s website for the November 30, 2021 City Council Agenda.

COORDINATION

This memo has been coordinated with the City Attorney’s Office and the City Manager’s Budget Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

Pursuant to the RFP, the intent is to enter an agreement for a three-year period, with the option of extending the agreement for two additional one-year terms. The vendors have agreed during the initial three years the costs per class will be fixed per the pricing in the Exhibit B of the Agreement. However, during the option years, the training/class costs will not increase by more than 3%, still having a maximum not to exceed amount of compensation of \$75,000 per option year. Costs will be subject to appropriation of funds.

The 2021-2022 Proposed Operating Budget provides funding of \$111,500 in contractual services for Human Resources Health and Safety Training. However, other departments will pay for their own trainings from these contracts out of their own safety training budgets.

BUDGET REFERENCE

Fund #	Appn #	Appn Name	Current Appn	Amt for Contract	2021-2022 Proposed Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	0482	NP/Equipment-Human Resources	\$5,015,304	\$75,000	VIII-196	10/19/2021 30682

* The 2021-2022 Adopted Operating Budget was approved on June 15, 2021 and adopted on June 22, 2021 by the City Council.

HONORABLE MAYOR AND CITY COUNCIL

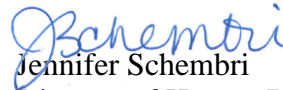
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CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.



Jennifer Schembri

Director of Human Resources and
Director of Employee Relations

For questions, please contact Eric Fortes, Division Manager, Workers' Compensation Health & Safety, at (408) 975-1418.