


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council Members
FROM: Kathy Flamson, City Clerk
DATE: June 21, 2016
SUBJECT: Consideration of a Resolution awarding a one-year contract to the Calistoga Tribune for publication of legal advertisements in an amount not to exceed \$15,000 for the period ending June 30, 2017, and authorizing the City Manager to execute the contract.

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

1 **ISSUE:** Consideration of a Resolution awarding a one-year contract to the
2 Calistoga Tribune for publication of legal notices for the period ending June 30,
3 2017 and authorizing the City Manager to execute the contract.

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5 **RECOMMENDATION:** Adopt Resolution.

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7 **BACKGROUND:** Each year, in accordance with Public Contract Code §20169,
8 cities that have more than one newspaper of general circulation must publish a
9 notice inviting bids for the publication of legal notices. The City currently has two
10 adjudicated newspapers within the City: the Weekly Calistogan, published by the
11 Napa Valley Publishing Company, and the Calistoga Tribune. The Calistoga
12 Tribune is the City’s current provider.

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14 **DISCUSSION:** On May 13, 2016, staff published a notice inviting written bids for
15 legal advertising to be submitted to the City Clerk by Friday, June 10, 2016 at 10
16 a.m. A Request for Proposal (RFP) was also sent to the Calistoga Tribune and
17 Napa Valley Publishing Company on May 6, 2016. A proposal was received from
18 the Calistoga Tribune on June 10, 2016 at 8:45 a.m. The Napa Valley Publishing
19 Company submitted a proposal on June 8, 2016 at 1 p.m.

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Proposal Evaluation

The City Clerk established the following as the criteria for review of the proposal received:

1. Completeness of proposal and responsiveness to the RFP.
2. Compliance with State and Federal requirements.
3. Circulation and coverage.
4. Frequency of publication.
5. Cost.

The following lists the Calistoga Tribune's response to the five criteria:

Criterion #1: Completeness of proposal and responsiveness to the RFP.
Staff determined the proposal to be complete and responsive to the RFP.

Criterion #2: Compliance with State and Federal Requirements. State law requires publication of legal notices in a "newspaper of general circulation." The Calistoga Tribune meets this requirement of the State definition and the Federal requirement for publication of notices for projects or programs utilizing grant funding.

Criterion #3: Circulation and Coverage. The U.S. Postal Service "Statement of Ownership Management and Circulation" (Form PS 3526) which was filed for the period of September 18, 2015 states that Calistoga Tribune's average weekly paid and/or requested circulation was 1,135. For paid and/or requested circulations for the City's zip code area (94515) it was 667. Total electronic copies was 120.

Circulation and Coverage for September 2015 (Postal Report). Following is data for the circulation amounts for September 2015:

733	Subscriptions mailed in-County
<u>275</u>	"Single copy" (sold through news racks and vendors or subscriptions delivered within the Napa County)
1,008	Total

Criterion #4: Frequency of Publication. The Calistoga Tribune publishes one time per week (Fridays).

Criterion #5: Cost. The Calistoga Tribune prepared a sample legal advertisement and display advertisement and provided the cost to run each ad. The Calistoga Tribune proposes to charge \$12.00 per column inch for

60 legal notices and display advertisements. The sample legal notice resulted
61 in a cost of \$89.88. The sample display advertisement resulted in \$90.00.

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63 **The following lists the Weekly Calistogan's response to the five criteria:**

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65 Criterion #1: Completeness of proposal and responsiveness to the RFP.
66 Staff determined the proposal to be complete and responsive to the RFP.

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68 Criterion #2: Compliance with State and Federal Requirements. State law
69 requires publication of legal notices in a "newspaper of general circulation."
70 The Weekly Calistogan meets this requirement of the State definition and
71 the Federal requirement for publication of notices for projects or programs
72 utilizing grant funding.

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74 Criterion #3: Circulation and Coverage. The U.S. Postal Service
75 "Statement of Ownership Management and Circulation" (Form PS 3526)
76 which was filed for the period of September 2015 states that Weekly
77 Calistogan's average weekly paid and/or requested circulation was 514. For
78 paid and/or requested circulations for the City's zip code area (94515) it was
79 154.

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81 Circulation and Coverage for September 2015 (Postal Report). Following is
82 data for the circulation amounts for September 2015:

211 Subscriptions mailed in-County

291 "Single copy" (sold through news racks and vendors
or subscriptions delivered within the Napa County)

502 Total

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84 Criterion #4: Frequency of Publication. The Weekly Calistogan publishes
85 one time per week (Thursdays).

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87 Criterion #5: Cost. The Weekly Calistogan prepared a sample legal
88 advertisement and display advertisement and provided the cost to run each
89 ad. The Calistoga Tribune proposes to charge \$16.40 per column inch for
90 legal notices and \$3.53-26.90 per column inch for display advertisements,
91 depending on which publications the item is published in. The sample legal
92 notice resulted in a cost of \$143.19. The sample display advertisement
93 resulted in \$42.36-322.80, depending on which publications the item is
94 published in.

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REQUEST FOR PROPOSAL

	<i>Calistoga Tribune</i>	<i>Weekly Calistogan</i>
*On Time	Yes	Yes
*Legal Ad	\$89.88 (7 pt)	\$143.19 (8 pt)
*Display Ad	\$90.00	\$42.36
Total Distribution	1135	741
Subs. in Napa Co	733	211
Subs. Out Napa Co	130	63
Newsrack Sales	185	313
* Compliance	Yes	Yes
*Frequency	Weekly-Friday	Weekly-Thursday

***Required with RFP**

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OPTIONS:

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The City Council has the following two options:

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(1) award the bid to the one of the two papers; or

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(2) reject the bid and re-advertise for new bids.

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Staff recommends the contract be awarded to the Calistoga Tribune for the following reasons:

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The circulation and coverage of the Calistoga Tribune is twice that of the Weekly Calistogan, allowing more constituents to be informed of the City of Calistoga’s publications.

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Although the cost of a Display Ad with the Weekly Calistogan appears to be less than half the cost of the Calistoga Tribune, typically most of the ads placed by the City of Calistoga are Legal Ads. In 2015, there were approximately 76 ads placed by the City of Calistoga with 56 Legal Ads placed compared to 20 Display Ads that were placed. Using the example above, the cost annual cost for ad placement in the Weekly Calistogan would be \$8,865.86 and the Calistoga Tribune would be \$6,833.28.

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CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES: The

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recommended action supports the FY 2016/17 City Council Goal No. 1, Objective

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7 by complying with Public Contract Code §20169 “...cities that have more than

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one newspaper of general circulation must publish a notice inviting bids for the

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publication of legal notices” to “...maintain current City services and operating

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costs at the most economically viable levels commensurate with equal service

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levels.”

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127 **FISCAL IMPACT:** This is in keeping with Goal 2: Offer excellent professional
128 services to all customers. The estimated cost for publishing legal notices and
129 display advertisements in Fiscal Year 2016/2017 is \$15,000, which is included in
130 the Fiscal Year 2016/2017 budget. There is usually additional cost for publishing
131 legal notices for development projects (which are paid for by the applicant). The
132 City of Calistoga will hold an election during Fiscal Year 2016/2017 on November
133 8, 2016.
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135 **ATTACHMENTS:**

- 136 1. Draft Resolution
- 137 2. Request For Proposal
- 138 3. Calistoga Tribune Proposal
- 139 4. Weekly Calistogan Proposal
- 140 5. Draft Professional Services Agreement

RESOLUTION NO. 2016-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AWARDING A ONE-YEAR CONTRACT TO THE _____ FOR PUBLICATION OF LEGAL ADVERTISEMENTS IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE PERIOD ENDING JUNE 30, 2017 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

Authorizing Agreement No. _____

WHEREAS, the City of Calistoga (City) publishes legal notices in a newspaper of general circulation pursuant to California Government Code § 6060 et al; and

WHEREAS, each year, in accordance with Public Contract Code §20169, cities that have more than one newspaper of general circulation must publish a notice inviting bids for the publication of legal notices; and

WHEREAS, the City currently has two adjudicated newspapers within the City: the Weekly Calistogan, published by the Napa Valley Publishing Company, and the Calistoga Tribune; and

WHEREAS, on May 13, 2016, the City filed a Notice Inviting Written Bids for Legal Advertising, said bids to be submitted by Friday, June 10, 2016 at 10:00 A.M.; and

WHEREAS, the City determined that the _____’s proposal is complete and responsive; and

WHEREAS, the City Council independently reviewed the staff report and bid proposal at its June 21, 2016, regular meeting; and

WHEREAS, the City desires to enter into an agreement with _____ for City-wide legal advertising.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga hereby authorizes the City Manager to execute an agreement substantially in accordance with the attached Professional Services Agreement for publication of legal notices and legal advertisements with the _____ in an amount not to exceed \$15,000, subject to review and approval by the City Attorney.

PASSED, APPROVED, AND ADOPTED by the City Council of the City at a regular meeting held this 21th day of June, 2016 by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk