



MEMO

To: NCRA Board of Directors

From: Executive Director Stogner

Date: March 8, 2017

Subject: **Agenda Item F.2 Discussion and Possible Action Approving an Exemption from Competitive Bidding Procedure for listing Agreement with Guillon Inc.**

Chapter 1205.2 of NCRA's Policies and Procedures Manual provides for an exemption from competitive bid "In cases of exigent circumstances or emergency work where the contract is necessary for the immediate preservation of the public health, welfare, or safety, or protection of NCRA to conduct railroad operations." State law also allows for an exemption from competitive bid requirements for "Professional and Technical Services Agreements."

The NCRA Board adopted a Resolution (2014-02) "Approving an Exemption from Competitive Bidding Procedure for a Project Management Agreement with Guillon Inc. to sell or lease the Ukiah Depot and Mason Street properties owned by NCRA," on October 8, 2014. This resolution explains the justification for exempting the Project Management Agreement with Guillon Inc. from NCRA's competitive bid requirements. On August 10, 2016, the Board also approved an exemption from competitive bid requirements for a "Listing Agreement" with Guillon Inc. to sell or lease excess Depot parcels and Mason St. parcels North of E. Perkins St. in Ukiah. Staff recommends extending this exemption to include a "Listing Agreement" with Guillon Inc. to sell or lease excess railroad property East of Highway 101 and immediately North of Citrus Fair Dr. In Cloverdale.

Staff Recommendation:

Include the exclusive listing of approximately 1.5 acres of excess railroad property immediately North of Citrus Fair Dr. by Guillon Inc. as one of the activities exempt from NCRA's competitive bid requirements as outlined in Resolution 2017-02.