

**RIVERSIDE COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. 69-19/20**

**RESOLUTION FOR APPROVAL OF AWARD OF CONTRACT TO AQUENT LLC FOR  
ADDITIONAL SERVICES RELATED TO THE RIVERSIDE CITY COLLEGE  
WEBSITE DEVELOPMENT**

**WHEREAS**, on September 17, 2018, the Governing Board of the Riverside Community College District ("District") awarded a contract to OmniUpdate Inc. for Riverside City College's ("College") website design and development with the intent to provide college information to the College community in an effective manner while having the resources to push out necessary and immediate information to students. In June 2019, the College engaged Aquent LLC for writing the website content that would be maintained on the new website (collectively, "Services");

**WHEREAS**, at the time the College entered into the original contract with Aquent the College anticipated the contract would cover all required content information and the services would be provided for an anticipated total contract cost of \$92,599, below the statutory bidding amount for such services under Public Contract Code section 20651; and

**WHEREAS**, subsequent to Aquent LLC providing the Services and performing additional review and assessments, it was determined that additional work and services are necessary to provide a fully developed, integrated, and user friendly web site content; and

**WHEREAS**, Aquent LLC has already performed and developed assessments, reviews, and deployment tasks; is intimately familiar with the current required Services necessary for the College; and is ready, willing and able to perform the additional services; and

**WHEREAS**, the estimated total cost for the additional services, plus the original contract amount, exceeds the statutory bidding limitations set forth in Public Contract Code Section 20651; and

**WHEREAS**, it would be more costly and time-consuming to bid the additional services since it is integral to the current and future services needed by the College to provide a fully developed, integrated, and improved web site to our community; and

**WHEREAS**, competitive bidding the additional Services would result in the delay of the completion and implementation of the new College website; and

**WHEREAS**, it would not produce any advantage to the College to competitively bid the additional Services since such competitive bid services could result in more than one consultant and vendor being required to perform the work and provide services that could be more efficiently and effectively performed by one consultant; and

**WHEREAS**, Meakin v. Steveland (1977) 68 Cal.App.3d 490 and Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 holds that statutes requiring competitive bidding do not apply when competitive bidding would work an incongruity or not produce any advantage.

**NOW, THEREFORE**, the Governing Board of the Riverside Community College District does hereby find, resolve, determine, and order as follows:

**Section 1.** That all of the recitals set forth above are true and correct, and the Board so finds and determines; and

**Section 2.** That it would not produce any advantage to the College to competitively bid the completion of the additional writing of the website content Services; and

**Section 3.** That the College approves the immediate completion of the additional writing Services necessary to compete the college website development without competitively bidding such Services and approves the College's payment to Aquent LLC in accordance with the terms and conditions set forth in the contract to be entered into by the College and Aquent LLC; and

**Section 4.** That the Governing Board delegates to its Vice Chancellor, Business and Financial Services, authority to execute all agreements and complete all necessary documents for the additional Services and to otherwise fulfill the intent of this Resolution.

ADOPTED this 19th day of May 2020.



Mary Figueroa  
President of the Board of Trustees  
Riverside Community College District