



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Aniz Alani, City Attorney

Committee Meeting Date: August 24, 2026

Agenda Item Wording: Consideration and possible action regarding a form Event Services Agreement and proposed standalone request-for-proposals templates for recurring City-sponsored event goods and services.

Summary/Background: At the prior Founders Day Committee discussion, the Committee expressed interest in documenting market pricing and following the City's procurement practices while preserving the operational reliability needed for a short, high-impact public event. Committee members emphasized that the issue is not resistance to a competitive process; it is the need to avoid a last-minute selection of a provider who cannot safely, timely, or reliably perform the required services.

The Committee also discussed the value of publishing particular opportunities early; using clear, specific scopes; involving appropriate event representatives in evaluation; documenting why a selected provider represents best value; and retaining the ability to cancel a solicitation when an acceptable award is not available. The Committee identified recurring categories such as sanitation, tents/fencing, traffic-control equipment, transportation, security, and other event-support services as appropriate candidates for tailored forms.

The current purchasing policy provides for best-value procurement, requires stated evaluation criteria and weights for formal solicitations, and recognizes vendor reliability and other published factors in addition to price. The policy also requires written agreements for services and supplies requiring maintenance, training, or delivery.

Proposed Forms

1. Event Services Agreement

The proposed agreement is a five-year, nonexclusive form that may be used for City-sponsored events. Founders Day Festival and Christmas on Mercer are anticipated annual examples, but the form may also be used for other City-sponsored events.

The agreement does not require the City to purchase any minimum amount, does not reserve a vendor's capacity before an order is issued, and does not

create an exclusive right for any contractor. The City would issue event-specific written orders identifying the event, dates, location, goods/services, quantities, notice category, pricing source, and special requirements.

The agreement also includes City-protective provisions addressing insurance, contractor indemnity, compliance with law, subcontracting, written changes, invoices and payment, inspection and cure rights, suspension and termination, Texas law, Hays County venue, governmental immunity, and rejection of inconsistent vendor terms.

2. Standalone RFP Templates

Staff has prepared sample separate RFP forms for the following categories:

1. Temporary event infrastructure and rentals;
2. Sanitation, restrooms, and cleanup services;
3. Traffic control and event-site safety equipment;
4. Event production services;
5. Shuttle and charter transportation services;
6. Private event-security staffing services;
7. Temporary power and generator services;
8. Water truck and potable-water support services;
9. Family entertainment and staffed attractions;
10. Event technology and site-security equipment;
11. Event merchandise, printing, and online-store services;
12. VIP hospitality and bartending services; and
13. Supplemental event-equipment rental services.

Each template is a complete, separately issued solicitation. Each includes a notice, proposal instructions, evaluation criteria, scope, notice-tier pricing requirements, capacity-information request, City award rights, and a placeholder for the form of agreement and insurance requirements.

Implementation and Next Steps

If approved, staff will work with Committee Chairs to select and adapt the templates after confirming the applicable budget, procurement method, required approvals, insurance requirements, current certifications/disclosures, and event-specific scope. The City should issue each solicitation early enough

to allow evaluation, negotiation, contracting, and contingency planning before the relevant event.

Discussion

Capacity and Pricing Approach

The forms distinguish between information the City needs to evaluate a respondent and a pre-award reservation of capacity:

- Respondents describe their available personnel, equipment, inventory, fleet, subcontractor resources, and operational capability. This information allows the City to evaluate whether a provider can perform the applicable scope.
- The City does not ask respondents to reserve or commit a stated capacity merely by responding to the solicitation.
- The City makes no minimum purchase or annual event commitment.
- After award, a contractor must furnish the goods and services ordered by the City when the City gives at least 30 days' notice, subject to force majeure and City-approved modifications.
- Orders with fewer than 30 days' notice are on-call orders. The contractor must respond promptly but is required to perform only if it confirms availability in writing.

The pricing forms require one pricing structure for all City-sponsored events. Respondents may either provide unit rates for 120+ days, 90–119 days, 30–89 days, and on-call orders, or attach their own current price sheet or published price list and identify the applicable unit rate or discount for each notice category.

Why the Templates Do Not Force an Unsuitable Award

The proposed forms are designed to address the Committee's concern that a lower-priced but unqualified or unreliable respondent could be forced upon the event operation. They do not create that result.

1. Selection Is Based on Published Best-Value Criteria, Not Price Alone

Each RFP assigns 50 points to price and overall value. The remaining 50 points evaluate the qualifications that matter to successful event performance, including comparable experience, key personnel, equipment and staffing resources, safety and operational approach, references, past performance, responsiveness, and service-specific requirements. For example, a traffic-control provider may be evaluated on comparable public-event operations and safety response, while a production provider may be evaluated on technical planning, equipment, personnel, and contingency capability.

A lower price therefore does not overcome material shortcomings in qualifications, reliability, safety, references, or event-specific operational ability.

2. The Scope and Evaluation Criteria Are Tailored Before Issuance

The Committee and staff may identify the actual needs, non-starters, and meaningful qualifications for a particular procurement before the RFP is issued. The solicitation can require relevant event experience, specific licenses, insurance, equipment, technical qualifications, response procedures, and references. The City may evaluate only against the criteria disclosed in the issued RFP, so the critical operational requirements must be stated up front.

3. The City May Reject All Responses or Cancel a Solicitation

The forms expressly reserve the City's right to reject any or all proposals, waive permitted informalities, request clarification, negotiate with the apparent best-value respondent, make multiple awards where appropriate, or cancel the solicitation. Thus, the City is not required to award a contract simply because one or more proposals are received.

This safeguard should be exercised in good faith and consistently with applicable procurement requirements. It is not intended to support bid shopping or an undisclosed preference; rather, it preserves the City's ability to decline an award when no proposal meets the City's published requirements or serves the City's best interest.

4. Multiple Awards and Category Awards Are Available

Where appropriate, the City may make multiple awards or award separate components of a category. This allows the City to obtain a particular item or service from a qualified respondent without requiring one company to provide every item in a broad operational category.

Attachments:

Proposed Event Services Agreement form

Proposed standalone RFP templates