



**Date:** July 1, 2019

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Rhonda B. Parker, Director, Department of Parks and Recreation  
Thomas Dawson, Assistant Director, Department of Parks and Recreation  
**Subject:** Contract for Booking Agent

### **Executive Summary**

The Department of Parks and Recreation (DPR) began in 2010 contracting with professional booking agents to hire and manage all the various officials needed for the athletic games and events for which DPR is responsible. After a Request for Qualifications process, DPR is recommending hiring Lynn Dunbar and Dan Dunbar (*dba* as Fun2Ref) for a two-year contract in the amount of \$88,725.00 each year. Fun2Ref will provide certified and/or sanctioned officials, trained and insured, for league play in soccer (adult and youth), kickball, basketball (youth, teen and adult), softball, and volleyball, as well as for tournaments in these sports. Fun2Ref is a Durham company.

### **Recommendation**

The Department of Parks and Recreation recommends that the City Council authorize the City Manager to execute a contract with Dan Dunbar and Lynn Dunbar *dba* as Fun2Ref for \$88,725.00 in fiscal year 2020 and \$88,725.00 in fiscal year 2021; and to authorize the City Manager to negotiate changes to this agreement provided the total agreement does not exceed \$177,450.00.

### **Background**

The Department of Parks and Recreation (DPR) began hiring booking agents for officials for athletic games and events in 2010. The department in earlier years had hired individual referees and officials for sports leagues, meaning that it processed several hundred contracts per year and was responsible for the contractors' training and standards in many different sports. It also became apparent that hiring many contract workers and requiring them to work at set times and for set hours was potentially causing a problem of compliance with federal labor laws. DPR followed standard City advertising practices for services and has employed various booking agents, each of whom provided officials for at least one sport and several of whom provided officials for multiple sports.

For the 2019/2020 and 2020/2021 athletic seasons, DPR is recommending going with one contractor who is able to provide certified and/or sanctioned officials for all the leagues and games for which that service is required. This contractor has provided excellent service to several leagues in past years and has proven very reliable with scheduling and training of officials; and staff are comfortable that Fun2Ref can handle the full range of necessary services.

### **Issues/Analysis**

Under the terms of this contract, Fun2Ref provides officials for both youth and adult soccer who are certified by the U.S. Soccer Federation (USSF) and officials for adult softball and adult

volleyball that are sanctioned by either the Amateur Athletic Union (AAU) or the N.C. High School Athletic Association (NCHSAA). These organizations require standardized training, dress codes, and behavior; and games officiated by them allow game participants to advance to further tournament play.

The contract also requires Fun2Ref to provide to the City proof of its holding current general accident and liability insurance for all its officials and proof of its workers' compensation insurance.

DPR requires that Fun2Ref bill the City on a regular basis with invoices that document the work performed, the person(s) performing the work, the dates of the work, and any other such information as required to verify the quantity and quality of the officiating of each game. The contract also requires that the Contractor (Fun2Ref) pay its Subcontractors (the officials) within seven (7) days of receiving its own payment.

Staff have conducted an hourly wage analysis to insure that all subcontractors fall at or above Durham's minimum livable wage. The average hourly wage for subcontractors is \$26.00.

**Alternatives**

The City Council could choose not to authorize the City Manager to execute this booking agent contract. DPR would then be in a position of potentially cancelling league play in numerous sports for hundreds of players.

**Financial Impact**

The contract amount is \$88,725.00 for each of two years, for a total of \$177,450.00. The department has budgeted funds for this cost of services.

**Equal Business Opportunity Summary**

The Equity & Inclusion Department reviewed Fun2Ref's proposal and determined that it was in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

**This is the information submitted by the proposed Contractor:**

Total Number of Independent Contractors [sports officials]					330
	<b>White</b>	<b>Black</b>	<b>Middle Eastern</b>	<b>Hispanic</b>	<b>Other</b>
<b>Male</b>	<b>140</b>	<b>129</b>	<b>10</b>	<b>4</b>	<b>0</b>
<b>Female</b>	<b>22</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Totals:</b>	<b>162</b>	<b>153</b>	<b>10</b>	<b>4</b>	<b>1</b>

Attachment: Contract