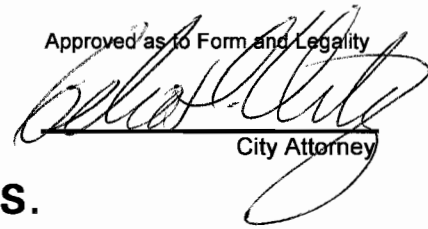


REVISED
7-15-13

Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2013 JUL 18 PM 1:03 RESOLUTION No. 84585 C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXPEND (\$1,400,000) ONE MILLION FOUR HUNDRED THOUSAND DOLLARS EACH YEAR FOR FIVE (5) YEARS BEGINNING FISCAL YEAR 2013 THROUGH 2018 FROM THE FY 2013-15 BUDGET AND TO: (1) RENEW A FIVE (5) YEAR MAINTENANCE AND SUPPORT AGREEMENT WITH MOTOROLA FOR FY 2013-14 THROUGH FY 2017-18 FOR AN AMOUNT NOT TO EXCEED \$800,000.00 PER YEAR X FIVE (5) YEARS, (WHICH INCLUDES SOFTWARE INSTALLATION SERVICES COST OF \$100,000 PER YEAR) FOR A GRAND CONTRACT TOTAL AMOUNT OF \$4,000,000.00; (2) NEGOTIATE AND EXECUTE SEPARATE ADDITIONAL VENDOR AGREEMENTS FOR RELATED SOFTWARE, EQUIPMENT AND INSTALLATION AND MAINTENANCE SERVICES IN AN AMOUNT NOT TO EXCEED \$600,000.00 PER YEAR FOR FIVE (5) YEARS FOR A GRAND TOTAL AMOUNT OF \$3,000,000.00, WITHOUT RETURNING TO COUNCIL; AND, (3) WAIVE THE COMPETITIVE BIDDING, ADVERTISING, AND THE REQUEST FOR PROPOSAL REQUIREMENTS FOR THE MOTOROLA AND THE RELATED MAINTENANCE AND SUPPORT VENDOR CONTRACTS

WHEREAS, Oakland mission critical 911 Integrated Public Safety System (IPSS) was purchased from Motorola in 2002; and

WHEREAS, the City passed Resolution 77578 C.M.S. authorizing the City Administrator to execute a maintenance and support agreement with Motorola for an amount not to exceed one million three hundred and sixty thousand dollars (\$1,360,000.00) per year for five (5) years without return to council; and

WEHERAS, the current five years maintenance and support agreement with Motorola is expiring on July 31, 2013;

WHEREAS, many of the IPSS hardware and software components are more than twelve years old and end of support life; and

WHEREAS, the City decided to replace the entire IPSS system and purchase a next generation integrated public safety system; and

WEHERAS, the City also decided to hire a Consultant to assist the City in the purchase of a new public safety system; and

WHEREAS, the IPSS replacement may take two to five years, while the current IPSS systems needs to be maintained for around the clock operations and use by first responders in the City; and

WHEREAS, the Department of Information Technology will continue to maintain and support the IPSS system with many other third party hardware and software IT systems; and

WHEREAS, staff has determined the required upgrades and improvements must be able to integrate into existing systems and facilities and therefore limit the qualified vendors which are able to provide the equipment and services to facilitate the upgrades and improvements at the lowest possible cost; and

WHEREAS, Motorola, satisfactorily maintained the IPSS system and provided support services around the clock; and

WHEREAS, staff shall utilize existing third party IT vendor contracts for services and equipment to the fullest extent possible;

WHEREAS, Oakland Municipal Code (“OMC”) section 2.04.050 requires advertising and bidding for contracts for the purchase of supplies, equipment, and computer software and the award to the lowest responsible, responsive bidder if award is made; and

WHEREAS, OMC section 2.04.051 requires that a competitive Request For Proposal ("RFP") or Request For Qualifications ("RFQ") selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1; and

WHEREAS, OMC sections 2.04.050.I. and 2.04.051.B permit the Council to waive advertising, bidding and the request for proposal/qualifications processes upon finding that it is in the City’s best interest to do so; and

WHEREAS, staff has determined that a limited number of qualified vendors are able to supply the professional services for the maintenance and support of the Public Safety IT systems; and

WHEREAS, the City Administrator has determined that the services that will be needed for these public safety IT systems support are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to negotiate and award IPSS contract maintenance and support contract to Motorola in an amount not to exceed \$800,000.00 per year for 5 years for a grand contract total amount of \$4,000,000.00, which includes software installation services for a not to exceed amount of \$100,000 per year; and

RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to negotiate and execute separate additional vendor agreements for public safety IT software, equipment and for related maintenance and support services in an amount not to exceed \$600,000.00 per year for 5 years for a grand total amount of \$3,000,000.00, without returning to Council; and

RESOLVED, that \$1,000,000.00 funds will be drawn from Fund 5510, Org 94461, Project C234620 and Program IP 62; and

RESOLVED, that \$400,000.00 funds will be drawn from Fund 5510, Org 90591, Project TBD, and Program TBD; and

RESOLVED, the City Administrator is authorized to expend \$1,400,000 each year for five years 2013 through 2018 in fiscal year 2013-15 from the Fund 5510 to renew the current maintenance and support agreements; and be it

FURTHER RESOLVED: That pursuant to OMC sections 2.04.050.I. and 2.04.051.B, and because: (1) all of these maintenance and support agreements are already in place, (2) most of the current IT hardware and software vendor's products and services are tested and installed as part of the IPSS project, (3) these applications have been in operations in the OPD and OFD for more than ten years and any change may cause interruptions and delays, and (4) continued use of Motorola, and the other existing maintenance and support vendors and of their related hardware and software, equipment and installation and maintenance services, will reduce interruptions to mission critical systems, and will eliminate confusion for customers, and minimize the number of service disruptions, therefore, the City Council hereby finds and determines that it is in the best interest of the City to waive the advertising, bidding and the competitive request for proposal/qualifications requirements of the OMC for the purchase of goods and services related to the Public Safety IT systems maintenance and support for Motorola and all of the related software, equipment, and maintenance and support vendors; and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED, that the contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

JUL 30 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF and PRESIDENT KERNIGHAN - 6

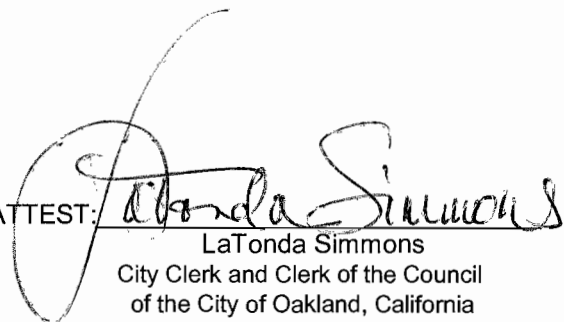
NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:


LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California