

**OAKLAND CITY COUNCIL**RESOLUTION No. 80789 C.M.S.

2007 JUL -5 PM 1:14

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO 1) WAIVE THE STANDARD COMPETITIVE BID PROCESS AND APPROVE A MODIFIED COMPETITIVE PROCESS, AND 2) AWARD A CONTRACT TO REDFLEX TRAFFIC SYSTEM, INC., FOR LEASE, INSTALLATION AND MAINTENANCE OF A RED LIGHT CAMERA ENFORCEMENT SYSTEM (RLCES) THROUGHOUT THE CITY AND FOR PROGRAM SERVICES FOR A PERIOD OF THIRTY-SEVEN (37) MONTHS IN AN AMOUNT NOT-TO-EXCEED FOUR MILLION THREE HUNDRED TWENTY THOUSAND DOLLARS (\$4,320,000.00), WITH AN OPTION FOR THE CITY TO EXTEND THE AGREEMENT UP TO FOUR YEARS, IN TWO-YEAR INCREMENTS, UNDER THE SAME TERMS AND CONDITIONS, AND 3) AUTHORIZING THE ADDITION OF ONE FULL-TIME NON-SWORN POSITION TO THE POLICE DEPARTMENT TO REVIEW RECORDED VIOLATIONS AND DETERMINE IF A CITATION SHALL BE ISSUED, AND 4) TO SET JULY 17, 2007 AS THE DATE FOR THE PUBLIC HEARING CONCERNING THE ESTABLISHMENT OF A RED LIGHT CAMERA ENFORCEMENT SYSTEM (RLCES) IN THE CITY OF OAKLAND AS REQUIRED BY CALIFORNIA VEHICLE CODE SECTION 21455.6, AND 5) APPROPRIATE ALL REVENUES GENERATED BY THE RED LIGHT CAMERA ENFORCEMENT SYSTEMS TO THE GENERAL FUND (1010), POLICE DEPARTMENT TRAFFIC OPERATIONS ORGANIZATION (101380), PROGRAM (PS14), PROJECT TO BE DETERMINED AND, 6) FUNDS IN EXCESS OF THOSE USED TO PAY CONTRACT COSTS AND ALL ADMINISTRATIVE COSTS ASSOCIATED WITH THE RLCES SHALL BE TRANSFERRED INTO TRAFFIC SAFETY FUND (2416), POLICE DEPARTMENT TRAFFIC OPERATIONS ORGANIZATION (101380), PROGRAM (PS14), PROJECT TO BE DETERMINED

**WHEREAS**, each year across the United States, crashes associated with red light violations claim the lives of more than 800 people and injure an additional 200,000 people; and

**WHEREAS**, the Oakland Police Department seeks to implement a Red Light Camera Enforcement System (RLCES) within the City of Oakland to increase traffic safety, and fund the expansion of traffic management efforts throughout the City; and

**WHEREAS**, on September 4, 2006, a competitive Request for Proposals process was initiated by the Department, in cooperation with City's Purchasing Department to identify a suitable vendor for the RLCES project; and

**WHEREAS**, the competitive process used provided for selection of the vendor based on a combination of performance factors as well as equipment and maintenance prices; and

**WHEREAS**, based on the vendor evaluation process, staff selected Redflex Traffic System, Inc., as the most responsive and qualified vendor for the RLCES project; and

**WHEREAS**, The monthly cost of the systems at 20 installations (i.e., at approximately 10 intersections) in the City will range from \$100,000.00 to \$120,000.00; and

**WHEREAS**, payment will be deferred for a period of 90 days from the date of installation to allow some revenue generation to occur before vendor payments become due; and

**WHEREAS**, State laws authorizing red light camera enforcement systems require law enforcement agencies to directly review recorded violations and determine when citations will be issued, therefore, it is recommended that a new full-time, non-sworn position (Police Services Technician II) be created to carry out these duties; and

**WHEREAS**, it is anticipated that revenue generated by the RLCES program will cover all program costs including the vendor's equipment, installation, maintenance and program services costs and City's administrative and personnel (fully burdened salary of one PST II) costs; and

**WHEREAS**, in accordance with California Penal Code Section 1463.11, all revenues generated by the RLCES program be appropriated and deposited into the General Fund (1010), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and used to pay all program costs. Funds in excess of those used to pay contract costs and all administrative costs associated with the RLCES, (including the salary of one full-time Police Services Technician II), shall be transferred into Traffic Safety Fund (2416), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and those funds and all accrued interest shall be used to fund Police Department traffic safety equipment projects and fund other traffic management endeavors; and

**WHEREAS**, the City Administrator has determined that any contract for services awarded hereunder 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, pursuant to Oakland Municipal Code Title 2, section 2.04.050.I.5, the City Council hereby finds and determines that it is in the City's best interests to waive the City's standard *lowest, responsible bid process* for the lease of a Red Light Camera Enforcement System (RLCES), and approves the multi-factor, performance-based competitive process used to select the proposed program vendor described in the agenda report accompanying this item; and be it

**FURTHER RESOLVED:** That the City Council hereby awards a contract to Redflex Traffic Systems, Inc. for the lease, installation and maintenance of a Red Light Camera Enforcement System (RLCES) and for program services for a period of thirty-seven (37) months in an amount not-to-exceed four million three hundred twenty thousand dollars (\$4,320,000.00), with an option for the City to extend the contract for up to four additional years in two-year increments, under the same terms and conditions, and be it

**FURTHER RESOLVED:** That the City Council shall conduct a Public Hearing on July 17, 2007, concerning the establishment of a Red Light Camera Enforcement System in the City of Oakland as required by California Vehicle Code section 21455.6; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to create one full-time, PST II position in the Police Department, to review recorded violations and determine when citations will be issued as required by California Vehicle Code Sections 21455.5 and 21455.6; and be it

**FURTHER RESOLVED:** That the City will incur no up-front costs associated with the installation of the RLCES, and Redflex Traffic System, Inc. will defer payments to the vendor for a period of 90 days, which will allow the City to receive program revenues before the first payment to Redflex Traffic Systems comes due; and be it

**FURTHER RESOLVED:** That all revenues generated from the RLCES program shall be appropriated and deposited into the General Fund (1010), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and used to pay all program costs; and be it

**FURTHER RESOLVED:** That funds in excess of those used to pay contract costs and all administrative costs associated with the RLCES, (including the salary of one full-time Police Services Technician II) shall be transferred into Traffic Safety Fund (2416), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and those funds and all accrued interest shall be used to fund Police Department traffic safety equipment projects; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement for services, except for any increase in the contract amount without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement with Redflex Traffic System, Inc. as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2007, 20    

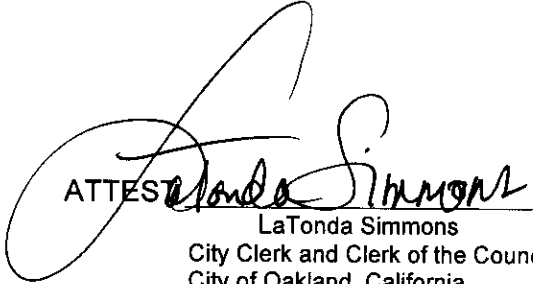
**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE~~ - 7

NOES- 0

ABSENT- Brooks - 1

ABSTENTION- 0

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

OFFICE \_\_\_\_\_ City Attorney  
2007 JUL -5 PM 1:15

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

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**WHEREAS**, each year across the United States, crashes associated with red light violations claim the lives of more than 800 people and injure an additional 200,000 people; and

**WHEREAS**, the Oakland Police Department seeks to implement a Red Light Camera Enforcement System (RLCES) within the City of Oakland to increase traffic safety, and fund the expansion of traffic management efforts throughout the City; and

**WHEREAS**, on September 4, 2006, a competitive Request for Proposals process was initiated by the Department, in cooperation with City's Purchasing Department to identify a suitable vendor for the RLCES project; and

**WHEREAS**, the competitive process used provided for selection of the vendor based on a combination of performance factors as well as equipment and maintenance prices; and

**WHEREAS**, based on the vendor evaluation process, staff selected Redflex Traffic System, Inc., as the most responsive and qualified vendor for the RLCES project; and

**WHEREAS**, The monthly cost of the systems at 20 installations (i.e., at approximately 10 intersections) in the City will range from \$100,000.00 to \$120,000.00; and

**WHEREAS**, payment will be deferred for a period of 90 days from the date of installation to allow some revenue generation to occur before vendor payments become due; and

**WHEREAS**, State laws authorizing red light camera enforcement systems require law enforcement agencies to directly review recorded violations and determine when citations will be issued, therefore, it is recommended that a new full-time, non-sworn position (Police Services Technician II) be created to carry out these duties; and

**WHEREAS**, it is anticipated that revenue generated by the RLCES program will cover all program costs including the vendor's equipment, installation, maintenance and program services costs and City's administrative and personnel (fully burdened salary of one PST II) costs; and

**WHEREAS**, ~~it is recommended that~~ *in accordance with California Penal Code Section 1463.11, all revenues and accrued interest generated by the RLCES program be appropriated and deposited into the ~~Traffic Safety Fund (2416)~~ General Fund (1010), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and used to pay all program costs. Funds in excess of those used to pay contract costs and all administrative costs associated with the RLCES, (including the salary of one full-time Police Services Technician II) shall be transferred into Traffic Safety Fund (2416) and used to fund Police Department traffic safety equipment projects and fund other traffic management endeavors; and*

**WHEREAS**, the City Administrator has determined that any contract for services awarded hereunder 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, pursuant to Oakland Municipal Code Title 2, section 2.04.050.I.5, the City Council hereby finds and determines that it is in the City's best interests to waive the City's standard *lowest, responsible bid process* for the lease of a Red Light Camera Enforcement System (RLCES), and approves the multi-factor, performance-based competitive process used to select the

proposed program vendor described in the agenda report accompanying this item; and be it

**FURTHER RESOLVED:** That the City Council hereby awards a contract to Redflex Traffic Systems, Inc. for the lease, installation and maintenance of a Red Light Camera Enforcement System (RLCES) and for program services for a period of thirty-seven (37) months in an amount not-to-exceed four million three hundred twenty thousand dollars (\$4,320,000.00), with an option for the City to extend the contract for up to four additional years in two-year increments, under the same terms and conditions, and be it

~~**FURTHER RESOLVED:** That the City Administrator is authorized to exercise the contract extensions, in her discretion, without returning to Council; and be it~~

**FURTHER RESOLVED:** That the City Council shall conduct a Public Hearing on July 17, 2007, concerning the establishment of a Red Light Camera Enforcement System in the City of Oakland as required by California Vehicle Code section 21455.6; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to create one full-time, PST II position in the Police Department, to review recorded violations and determine when citations will be issued as required by California Vehicle Code Sections 21455.5 and 21455.6; and be it

**FURTHER RESOLVED:** That the City will incur no up-front costs associated with the installation of the RLCES, and Redflex Traffic System, Inc. will defer payments to the vendor for a period of 90 days, which will allow the City to receive program revenues before the first payment to Redflex Traffic Systems comes due; and be it

**FURTHER RESOLVED:** That all revenues ~~and accrued interest~~ generated from the RLCES program shall be appropriated and deposited into the ~~Traffic Safety Fund (2416)~~ General Fund (1010), Police Department Traffic Operations Organization (101380), Program (PS14), Project to be determined, and used to pay all program costs; and be it

***FURTHER RESOLVED:** That funds in excess of those used to pay contract costs and all administrative costs associated with the RLCES, (including the salary of one full-time Police Services Technician II) shall be transferred into Traffic Safety Fund (2416) for use to fund Police Department traffic safety equipment projects other traffic management endeavors; and be it*

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement for services, except for any increase in the contract amount without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement with Redflex Traffic System, Inc. as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST \_\_\_\_\_

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