

FILED  
OFFICE OF THE CLERK  
OAKLAND

## OAKLAND CITY COUNCIL

RESOLUTION NO. 86759 C.M.S.  
2017 MAY 12 AM 9:00

City Attorney

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING (1) THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH CHARGEPOINT, INC. FOR AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000.00) ANNUALLY FOR THE PERIOD OF MARCH 1, 2017 THROUGH FEBRUARY 29, 2020 FOR MAINTENANCE AND REPAIR OF ELECTRIC VEHICLE CHARGING STATIONS, ELECTRIC VEHICLE CHARGING STATION ACCESS CARDS AND MONTHLY NETWORK ACCESS; WITH TWO ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT FOR A GRAND TOTAL CONTRACT AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00), WITHOUT RETURNING TO COUNCIL, AND (2) WAIVING THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) REQUIREMENTS**

**WHEREAS**, Oakland Public Works' Bureau of Infrastructure & Operations seeks to enter into an agreement with ChargePoint, Inc. for maintenance, repair and replacement parts for the City of Oakland's electric vehicle charging stations, electric vehicle charging station access cards and monthly network access; and

**WHEREAS**, the proposed contractual agreement with ChargePoint, Inc. is aligned with the City's green fleet policy as reflected within the context of Authorizing Resolution No. 77842 C.M.S., dated June 3, 2013, which supports the purchase of alternative fuel vehicles and the pursuit of Federal, state and other incentive programs related to clean air and energy efficiency; and

**WHEREAS**, the City Council previously authorized similar legislation, related to the actual purchase of electric vehicles through the use of Federally allocated grant funds through the adoption of Authorizing Resolution No. 84645 C.M.S., dated October 1, 2013; and

**WHEREAS**, Oakland Public Works requests authorization to enter into a three-year agreement with Chargepoint, Inc. for an amount not to exceed sixty thousand dollars (\$60,000.00) annually for the period of March 1, 2017 through February 29, 2020 for maintenance and repair of electric vehicle charging stations, replacement parts, charging station access cards and network access; and

**WHEREAS**, staff also request authorization of two one-year options to extend the agreement for a grand total contractual allocation in an amount not to exceed three hundred thousand dollars (\$300,000.00), without returning to Council; and

**WHEREAS**, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process for the procurement of professional services; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

**WHEREAS**, OMC Section 2.04.051.B and Section 2.04.050 I 5 permit the Council to waive the RFP/Q and bidding and advertising requirements upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B and Section 2.04.050 I 5 waive the RFP/Q and advertising and bidding requirements and authorize the City Administrator or designee to enter into the above-referenced contractual provisions with ChargePoint, Inc.; and

**WHEREAS**, in keeping with the guiding principles of the California Environmental Quality Act (CEQA), the City's use of electric vehicles benefits all Californians by bringing cleaner air, energy security and fuel cost savings, while leveraging the state's and local jurisdictions' leadership in technology and innovation; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or designee to enter into a three-year agreement for the period of March 1, 2017 through February 29, 2020 with ChargePoint, Inc. in an amount not to exceed \$60,000 annually. The City Council also authorizes two one-year options to extend the agreement for a grand total contractual allocation in an amount not to exceed \$300,000.00; and be it

**FURTHER RESOLVED:** That pursuant to OMC Sections 2.04.050 I 5 and 2.04.051.A, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising, competitive bidding and RFP/Q requirements based upon the reasons as set for herein and in the attached report which accompanies this Resolution, and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed agreement(s) with ChargePoint, Inc., except for any increase in the contract(s) costs; and be it

**FURTHER RESOLVED:** That all proposed contract expenditure allocations shall be expensed to the Oakland Public Works Equipment Services Fund 4100; Equipment Services Administration Organization 30541; Repair and Maintenance Miscellaneous Account 54619; Administrative Project 1000010:DP300, Fleet Management and Maintenance Program IN01; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve the proposed contract(s) as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

**JUN 06 2017**

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

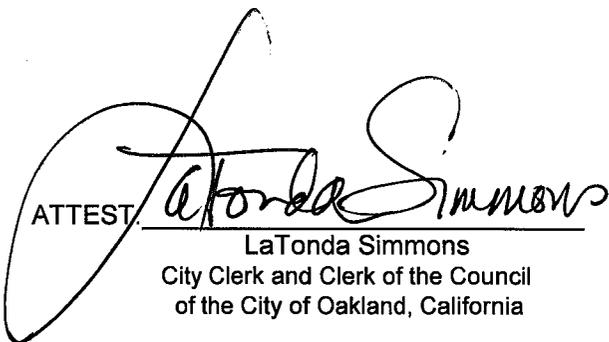
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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