

City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Resolution No. 85840 C.M.S.

2015 OCT -1 PM 12:38

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

**ADOPT A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE THE ADVERTISING AND BIDDING REQUIREMENTS AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ELOCK TECHNOLOGIES, LLC, IN AN AMOUNT NOT-TO-EXCEED THIRTY THOUSAND DOLLARS (\$30,000.00) FOR FIVE YEARS FOR: (1) SERVICE PLANS FOR CITY-OWNED BICYCLE ELOCKERS; AND (2) AS-NEEDED REPAIRS TO CITY-OWNED BICYCLE ELOCKERS DUE TO VANDALISM AND OTHER CAUSES NOT COVERED BY THE SERVICE PLANS**

**WHEREAS**, O.M.C. § 2.04.040.B.2 requires staff to conduct an informal advertising and competitive bid process for the purchase of products when the expenditure ranges from \$500.00 to \$50,000.01; and

**WHEREAS**, O.M.C. § 2.04.051.A requires the City to conduct an RFP/Q prior to the purchases of professional services; and

**WHEREAS**, O.M.C. § 2.04.050.I.5 permits the Council to waive such advertising and competitive bidding upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, the City owns 20 bicycle eLockers, proprietary products manufactured and operated by eLock Technologies, LLC, in Berkeley, CA; and

**WHEREAS**, the current Comprehensive Service Plan for the eLockers covering routine maintenance activities and providing a cost basis for repairs resulting from vandalism expires at the end of 2015; and

**WHEREAS**, staff would like to enter into another Comprehensive Service Plan for a period of five years; and

**WHEREAS**, the City has no plans to replace existing bike lockers, or to purchase other types of bike lockers in the foreseeable future; and

**WHEREAS**, staff recommends that the Council waive advertising and competitive bidding in this instance because there are no plans to remove or replace the eLockers and only eLock Technologies, LLC, can provide the requested services; now, therefore be it

**RESOLVED**, That the City Council finds and determines that, pursuant to O.M.C. § 2.04.050.I.5 and O.M.C. § 2.04.051.B, for the reasons stated above and in the accompanying report, it is in the best interests of the City to waive advertising and the competitive bidding requirements of the O.M.C. for service of Oakland's bicycle eLockers by eLock Technologies, LLC, and so waives the requirements; and be it

**FURTHER RESOLVED**, That the City Administrator or her designee is hereby authorized to award a professional services agreement to eLock Technologies, LLC, in an amount not-to-exceed thirty thousand dollars (\$30,000); and be it

10-20-15 01:42:10

**FURTHER RESOLVED**, That the City Administrator, or her designee, is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the maintenance agreement, except for any increase in the contract cost; and be it

**FURTHER RESOLVED**, That the agreement will be funded by Measure B Bicycle/Pedestrian Pass Through Fund (2212); Capital Project – Transportation Planning and Funding Organization (92260); Miscellaneous Services Account (53719); Bicycle Facility Design & Implementation Project (C428410); and be it

**FURTHER RESOLVED**, That the City Attorney shall review and approve the proposed agreement and any and all other vendor service agreements as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

**OCT 20 2015**

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

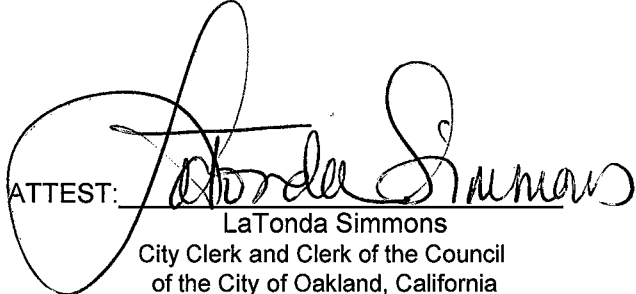
**PASSED BY THE FOLLOWING VOTE:**

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

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