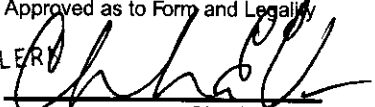


Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 JUL 10 PM 3:25


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 78002 - C.M.S.

RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF OAKLAND, TO ENTER INTO A TWO-YEAR PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OAKLAND AND BIG VALLEY AVIATION, INC., IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND FIFTY THOUSAND DOLLARS (\$550,000) FOR THE TWO-YEAR PERIOD OF JULY 1, 2003 TO JUNE 30, 2005 FOR MAINTENANCE OF POLICE DEPARTMENT HELICOPTERS

WHEREAS, the City Council finds that this contract is for services of a professional nature; and

WHEREAS, the City Council finds that services under the contract will be temporary; and

WHEREAS, the Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, contracts requiring professional or specialized services are exempt from competitive bidding pursuant to chapter 2.04 of the Oakland Municipal Code; and

WHEREAS, Big Valley Aviation, Inc., is the only helicopter service center in the Bay Area staffed with an adequate number of qualified mechanics to perform timely maintenance and repairs according to manufacturer's (McDonnell Douglas and Enstrom) and Federal Aviation Administration requirements; and

WHEREAS, Big Valley Aviation, Inc., has satisfactorily serviced the Police Department's McConnell Douglas and Enstrom helicopters during the past fifteen years; and

WHEREAS, budgeted funds are available from Fund 1010, Organization No. 104643, Account No. 54613, and Local Law Enforcement Block Grant 2001, Fund 2511, Org. 104643, Account No. 54613, Project G206410, Program PS; now therefore, be it

RESOLVED: That the City Council finds that helicopter maintenance is a professional service for which the calling of bids would serve no useful purpose; and be it

FURTHER RESOLVED: That the City Council hereby finds and determines that services provided pursuant to the contract authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and be it

FURTHER RESOLVED: That the City Manager is authorized to enter into an agreement with Big Valley Aviation, Inc., for maintenance of the Police Department's McDonnell Douglas and Enstrom helicopters in an amount not to exceed \$550,000 for the period from July 1, 2003 to June 30, 2005; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Manager to execute any further documents necessary to implement this resolution; and be it

FURTHER RESOLVED: That the City Manager is authorized to modify, extend or amend said agreement provided that no additional funds will be allocated without prior Council approval; and be it

FURTHER RESOLVED: That the agreement shall be reviewed by the City Attorney as to form and legality and a copy placed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 29 2003, 20

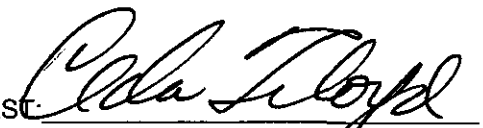
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California