

## OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

13 MAY -2 PM 1:48 RESOLUTION NO. 84382 C.M.S.

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

**RESOLUTION:**

- 1) **AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BIG VALLEY AVIATION, INC., (BIG VALLEY) IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY THOUSAND, TWO HUNDRED FOURTEEN DOLLARS (\$220,214.00) FOR THE PERIOD OF MAY 14, 2013 TO JUNE 30, 2014 FOR HELICOPTER MAINTENANCE SERVICES; AND**
- 2) **WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL BUSINESS ENTERPRISE PROGRAM (L/SBE) PROVISIONS FOR THE PROPOSED PROFESSIONAL SERVICES AGREEMENT.**

**WHEREAS**, the City of Oakland, through the Police Department (OPD) seeks to enter into a Professional Services Agreement with Big Valley Aviation, Inc. (Big Valley) for the time period of May 14, 2013 to June 30, 2014 in an amount not to exceed \$220,214.00 for maintenance services for OPD's helicopters; and

**WHEREAS**, Big Valley is the only helicopter service center in the greater Oakland/San Francisco Bay Area with mechanics adequately qualified to perform helicopter maintenance according to manufacturer and Federal Aviation requirements; and

**WHEREAS**, Big Valley has satisfactorily serviced OPD's McDonnell Douglas and Schweizer helicopters for more than 25 years and as a result, is familiar with the mechanical history and service needs of each of the City's three helicopters; and

**WHEREAS**, the City Council previously authorized the execution of similar agreements with Big Valley Resolution No. 78002 C.M.S., dated July 7, 2007 by Resolution No. 79710 C.M.S., dated February 7, 2006, Resolution No. 78002 C.M.S. dated July 29, 2003, and Resolution No. 76647 C.M.S. dated August 14, 2001; and

**WHEREAS**, Big Valley does not meet the City of Oakland's twenty-percent (20%) minimum participation requirement for professional services contracts of \$50,000 or more associated with the Local/Small Business Enterprise (L/SBE) Programs; and

**WHEREAS**, the three percent (3%) City-mandated contract assessment fee associated with the proposed agreement for services with Big Valley totals \$ 6,414.00 for the time period; and

**WHEREAS,** Oakland Municipal Code section 2.04.051.B permits the Council to waive the request for proposal/qualifications (RFP/Q) requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS,** Oakland Municipal Code section 2.04.050.I.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS,** staff recommends that is in the best interests of the City to waive the RFP/Q process because Big Valley: 1) is the only factory-certified service center for the City's helicopters in the greater Bay/Sacramento Areas; 2) has a twenty five year track record of past service to the City's helicopters; 3) is familiar with the mechanical history and service needs of the City's helicopters; and 4) is closer in distance to Oakland than the other available service providers; and

**WHEREAS,** the City Administrator has determined, based on information provided by staff, that any services agreement authorized by this resolution is of a professional, technical or scientific 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 to enter into a Maintenance Agreement with Big Valley in an amount not to exceed two hundred twenty thousand, two hundred fourteen dollars (\$220,214.00) for maintenance of OPD helicopters for the period of May 14, 2013 to June 30, 2014; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B, for the reasons stated above and the City Administrator's report accompanying this resolution, the City Council finds that it is in the best interests of the City to waive the advertising and bidding requirements and the request for proposal/qualifications (RFP/Q) process for with the products and services to be provided under proposed professional services agreement, and so waives such requirements; and be it

**FURTHER RESOLVED:** That funds in the amount of \$213,800.00 for one year, plus a 3% contract compliance fee of \$6,414.00, for a total of \$220,214.00, for an amount not to exceed \$220,214.00 for a time period of May 14, 2013 to June 30, 2014, are included in OPD's FY 2013-2014 baseline budget, with funds allocated from State COPS Fund 2158 and project G453610; and be it

**FURTHER RESOLVED:** That the City Council waives the L/SBE Program Provisions for the proposed Professional Services Agreement with Big Valley; 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; and be it

**FINALLY RESOLVED:** That the City Attorney shall review and approve said agreement with Big Valley 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, MAY 21 2013


**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSONMCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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