



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** David Ferguson  
Interim Director, OPW

**SUBJECT:** Three-Year Professional Services  
Agreement With Daupler Inc.

**DATE:** September 21, 2020

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City Administrator Approval 

Date: Sep 25, 2020

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## **RECOMMENDATION**

**Staff Recommends That The City Council Waive the Competitive Request For Proposals/Qualifications Selection Requirement and Adopt A Resolution Awarding A Three-Year Professional Services Agreement With Daupler Inc. For An Amount Of Six Hundred Sixty-Eight Thousand Four Hundred Dollars (\$668,400.00) For The Period Of October 16, 2020, Through October 15, 2023, For Emergency Call Management Services With Two One-Year Options To Extend The Contract For An Amount of Two Hundred Twenty-Two Thousand Eight Hundred Dollars (\$222,800.00) Annually, For A Grand Total Contract Amount Of One Million One Hundred Fourteen Thousand Dollars (\$1,114,000.00), Without Returning To Council.**

## **EXECUTIVE SUMMARY**

Public Works staff recommends that the City Council adopt a resolution to enter into a multi-year agreement with Daupler, Inc. to provide after-hours emergency call management services. These essential services are necessary to provide mission-critical responses to calls for emergency services received after-hours from Oakland businesses and residences. These services have been provided in the past voluntarily by the City of Oakland staff. Still, recent experience has confirmed that the City cannot rely solely upon an available pool of internal volunteers and must have reliable alternatives to protect the health and safety of the City of Oakland residents and businesses. This agreement follows a series of emergency and short term contracts over the past 18 months necessitated by the absence of staff volunteers (frequently with little or no notice) to provide these critical after-hours services.

## **BACKGROUND / LEGISLATIVE HISTORY**

Collectively, Oakland Public Works (OPW) and the Department of Transportation (DOT) provide a variety of public infrastructure services for which after-hours emergency calls for assistance are received. Such after-hour calls for service include, but are not limited to: general needs such as down traffic signs/flooding/ property board-ups/items lost in storm drains/etc., sewer/wastewater, tree-related calls, traffic sign and signals, lighting, issues reported regarding City facilities and vehicles, etc. The City of Oakland is responsible for answering these calls of support from businesses and residents, assess the situation and determine if there is an

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immediate hazard, perform field investigations as required, dispatch city crews for after-hours call-outs, and generate call documentation. These call-outs include time-sensitive life-safety, threats to the environment, and loss of basic service issues. These after-hour emergency call management services must be provided from 3:30 p.m. to 7:00 a.m. Monday through Friday and for twenty-four (24) hours every Saturday, Sunday, and City of Oakland holidays.

Historically, the standby operations were monitored by a volunteer standby supervisor from within OPW or DOT. These volunteer supervisors would receive the calls for service, verify location and reporting party, validate the complaint, document the complaint, notify the standby crew that a response was required, monitor the response, ensure the emergency condition was made safe, and document the response.

However, beginning Friday, January 11, 2019, OPW and DOT supervisors, represented by Local 21, declined to accept voluntary standby supervisor assignments. This imperiled the City's ability to respond to after-hours emergency calls, and required OPW and DOT to enter into a series of short term contracts over the past 18 months to ensure continuity of services. While some supervisors have recently resumed volunteering to perform this voluntary duty, it is essential that the City maintain the ability to provide these services regardless of the availability of internal staff volunteering for standby duty.

### **ANALYSIS AND POLICY ALTERNATIVE**

Performing General Standby Supervisor duty is not mandated in the Memorandum of Understanding (MOU) with Local 21, although the services provided are critical to providing essential after-hours response services to businesses and residents of the City of Oakland.

Though OPW and DOT supervisors, represented by Local 21, were informed that they could choose to decline the voluntary standby assignments in the future, the Department will continue to offer such assignments in accordance with its operating procedures and the Memorandum of Understanding with Local 21. As such, OPW and DOT are compelled to arrange for continuity of these services in the event of future shift declinations. Additionally, OPW and DOT do not have a consistent internal mechanism to confirm call location, verify points of contact, and confirm the safety of the emergency site before a response by City crews for all types of after-hour emergency calls received, such as those related to Sewers Standby.

The City of Oakland operates under a federal Consent Decree to respond, record, and report all Sanitary Sewer Overflows (SSO) within very tight timelines and without a margin for error. Failure to meet these requirements has resulted in fines and penalties levied against the City by the federal Environmental Protection Agency (EPA). Accordingly, Oakland Public Works must make arrangements to ensure the provision of and continuity of these essential services. Execution of the contract will allow the Department to respond consistently, rapidly, and efficiently to after-hour emergencies from the public, and provide enhanced call documentation, and worksite safety and security.

In September 2019, Oakland Public Works issued a Request for Proposals (RFP) for after-hour field services support for emergency responses by the Oakland Public Works. The City received a total of two (2) respondent proposals, which in turn were evaluated relative to the overall scope of work and minimum qualification criteria. A review of the process was initiated in accordance with the Oakland Municipal Code (OMC) Chapter 2.04.045. Only one firm, Daupler

Inc., was deemed as responsive and qualified to provide all needed services having the technical expertise to perform the work required. The scope of work included twelve (12) months of "After Hours Emergency Call Management Services." In addition to receiving calls for service, verifying location and reporting party, validating the complaint, documenting the complaint, notifying the standby crew that a response was required, monitoring the response, ensuring the emergency condition was made safe, and documenting the response, Daupler also provides the abilities not available with existing resources:

- Prompt 24/7 emergency call validation and onsite documentation of emergency
- Crew dispatch telephonically or digitally via smartphone application with work order detail, sequenced instructions, and GPS directions
- Second level after-hours emergency site safety and security
- Immediate and scalable on-demand 24/7 emergency call management and support
- Backup support/augmentation for OAK311 and Fire Dispatch call centers
- Detailed call documentation, call data input/record creation, and call recording
- Capability to accept and respond to after-hours emergencies reported via email or online portal

PROS: If the agreement is approved, the City of Oakland will continue to ensure consistent and equitable delivery and documentation of after-hours emergency call dispatch and response, provide the capability for enhanced on-demand call-center support, digital dispatch, and process management including GPS directions, and will enable possible future email or online portal emergency reporting capabilities.

CONS: If the agreement is not approved, this will place the City at risk of not being able to respond to after-hours emergency calls for service from residents and businesses when no volunteers present for duty. It will eliminate backup/augmentation support capability call-center services. It will eliminate the ability to digitally dispatch emergency response crews with work order detail, sequenced instructions, and GPS directions via a smartphone application. It will also remove the capability to accept and respond to after-hours emergencies reported via email or online portal.

### **REQUEST FOR WAIVER OF RFP REQUIREMENT**

Section 2.04.051 A of the Oakland Municipal Code (OMC) requires a competitive Request For Proposals/Qualifications ("RFP/Q") selection process for the award of contracts for professional services in excess of fifty thousand dollars (\$50,000.00) and which are exempt from bidding under OMC subsection 2.04.050.1.1.. OMC Section 2.04.051 B, however, permits the City Council to waive the competitive RFP/Q selection requirement upon a finding that it is in the best interest of the City to do so.

Staff requests that Council waive the RFP/Q competitive selection requirement and find and determine that it is in the best interest of the City to do so because of the reasons set forth in this Report.

### **FISCAL IMPACT**

Funding for this agreement is available in the Fiscal Year (FY) 2020-21 Adopted Budget and ongoing annual appropriations in Fund 3100 - Sewer Service Fund, Organizations 30532 -

Infrastructure Maint: Storm Drain and 30533 - Infrastructure Maint: Sewer System, Contract Services Accounts (54xxx – to be determined by the Budget Office), Project 1000010 - DP300 Administrative Project, Programs IN13 – Sanitary Sewer Management & Maintenance and IN14 – Storm Drain Management & Maintenance.

Approval of this resolution does not impact the General Purpose Fund (1010) and will not result in the additional appropriation of funds.

### **PUBLIC OUTREACH / INTEREST**

This item did not require any additional public outreach other than the original required RFQ posting on the City's website and advertisement in the local newspaper.

### **COORDINATION**

Office of the City Attorney and the Budget Bureau were consulted in the preparation of this report.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Implementation of the proposed contract for service will ensure continuous upkeep and safety to the City's facilities

***Environmental:*** The Facilities Services Division strives to maintain current industry standards for all City facilities. There are no negative impacts on the surrounding environments.

***Race & Equity:*** This contract will ensure that responses to after-hours emergency calls are made consistently to all of Oakland's diverse communities.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Waive the Competitive Request For Proposals/Qualifications Selection Requirement and Adopt a Resolution Awarding A Three-Year Professional Services Agreement With Daupler, Inc. For An Amount Of Two Hundred Twenty-Two Thousand Eight Hundred Fifty Dollars (\$222,800.00) Annually, For The Period Of October 16, 2020, Through October 15, 2023, For Emergency Call Management Services Total Contract Amount Of Six Hundred Sixty-Eight Thousand Four Hundred Dollars (\$668,400.00), With Two One-Year Options To Extend For A Grand Total Contract Amount Of One Million One Hundred Fourteen Thousand Dollars (\$1,114,000.00), Without Returning To Council.

For questions regarding this report, please contact Richard Battersby, Assistant Director at (510) 615-5856.

Respectfully submitted,



DAVID FERGUSON  
Interim Director of Oakland Public Works

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