

2013 OCT 31 PM 3:33 RESOLUTION No. 84703 - C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO: 1) EXECUTE A FIVE-YEAR EXTENSION OF THE CURRENT MAINTENANCE AGREEMENT BETWEEN THE PUBLIC WORKS AGENCY'S EQUIPMENT SERVICES DIVISION AND ASSETWORKS, INC. FOR THE TERM OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2018 IN AN AMOUNT NOT TO EXCEED THREE HUNDRED AND THREE THOUSAND TWO HUNDRED AND TWELVE DOLLARS (\$303,212.00) FOR FLEET MANAGEMENT SOFTWARE MAINTENANCE AND SUPPORT ASSOCIATED WITH THE DEPARTMENT'S FLEET MANAGEMENT SYSTEM SOFTWARE, AND 2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM (L/SLBE) PROVISIONS ASSOCIATED WITH SAID MAINTENANCE AGREEMENT

WHEREAS, the Public Works Agency's Equipment Services Division seeks authorization to execute a five-year extension of its current maintenance agreement with AssetWorks, Inc. for fleet management software maintenance and support; and

WHEREAS, since 2005, the Public Works Agency has used the proposed Fleet Management System Software from AssetWorks, Inc. to manage all work performed on the City's fleet; enabling staff to generate and track work orders and parts needed for the repair and maintenance of the City's fleet; and

WHEREAS, the timeframe for the newly proposed agreement term with AssetWorks, Inc. will be for the period of January 1, 2014 through December 31, 2018, in a cumulative amount not to exceed \$303,212.00; and

WHEREAS, the City Council previously approved Authorizing Resolution No. 78246 C.M.S., dated December 16, 2003 and Authorizing Resolution No. 82635 C.M.S. dated March 16, 2010 which authorized the execution of two prior multi-year service agreements with AssetWorks, Inc. for fleet maintenance software services; and

WHEREAS, Oakland Municipal Code (CMC) section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or combination thereof required by the City which exceeds \$50,000.00; and

WHEREAS, CMC section 2.04.050 I. 5 permits the Council to waive these requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, CMC section 2.04.051.A requires staff to conduct a competitive RFP/Q selection process for the procurement of professional services; and

WHEREAS, CMC section 2.04.051.B authorizes the City Council to waive the RFP/Q requirement upon a finding that it is in the best interests of the City to do so; and

WHEREAS, staff notes that the basis for the requested waivers are that specialty fleet maintenance system software is typically, and most effectively, maintained and supported by the software system's manufacturer; and

WHEREAS, staff further notes that an additional basis for the requested waivers is that the Fleet Management System application software and related equipment are all proprietary service components of AssetWorks, Inc., and

WHEREAS, staff also contends that an additional basis for the requested waivers is that the City has no plans on replacing its existing fleet management system software in the foreseeable future; now, therefore be it

RESOLVED, that the City Council authorizes the City Administrator, or her designee, to execute a five-year extension of the current maintenance agreement between the Public Works Agency's Equipment Services Division and AssetWorks, Inc. for the term of January 1, 2014 through December 31, 2018 for fleet management software maintenance and support associated with the Department's Fleet Management System Software, and be it

FURTHER RESOLVED, that funds slated to cover all costs associated with the proposed five-year annual licensing and maintenance agreement shall stem from the City of Oakland's Internal Service Fund (4100), Equipment Services Administration Org. (30541), Fleet Management Program Code (IN01); and be it

FURTHER RESOLVED, that the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.1.5 and 2.04.051.B, for the reasons stated above and in the report accompanying this resolution, that it is in the best interests of the City to waive the advertising, competitive bidding and competitive RFP/Q process for products and services to be purchased under the proposed agreement and that the City Council thereby authorizes the waiver of said requirements; and be it

FURTHER RESOLVED, that the City Council hereby waives the L/SLBE provisions associated with the proposed agreement; and be it

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 City Attorney shall review and approved the proposed maintenance 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.

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IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

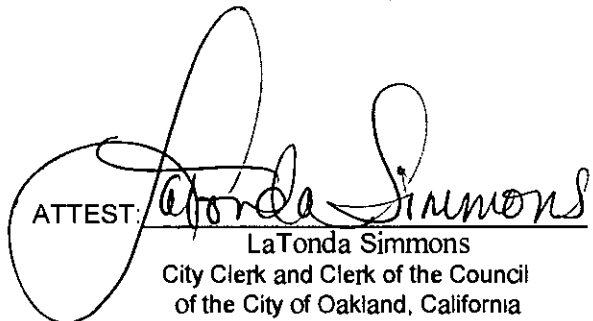
AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF and
PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

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