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OAKLAND CITY COUNCIL
RESOLUTION No. 80229 C.M.S.

REVISED

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE THE CITY'S COMPETITIVE BIDDING AND AWARD PROCESS, AUTHORIZE A SOLITATION OF PROPOSALS PROCESS AND NEGOTIATION OF —AND EXECUTE—A CONTRACT WITH ACTIVE NETWORK, FORIN AN AMOUNT NOT—TO—EXCEED \$250,000.00 TO PURCHASE AN ENTERPRISE POINT-OF-SALE (POS) SYSTEM WHICH WILL AUTOMATE THE CASH HANDLING PROCESS WITHIN THE CITY OF OAKLAND

WHEREAS, the City of Oakland's Finance and Management Agency, Treasury Division is working to update and standardize its cashiering processes; and

WHEREAS, the implementation of a new Enterprise Point-of-Sale (POS) System can reduce the repetitive process of cash receipting and mitigate key punch errors; and

WHEREAS, Oakland Municipal Code Chapter 1, Article 2.04.050.A requires that product purchases be advertised, competitively bid and awarded on a lowest-responsible-bidder basis; and

WHEREAS, the purchase of the automated cash handling system is better suited to a request for proposal process because multiple vendors offer unique systems and approaches or methodologies and Oakland Municipal Code Chapter 1, Article 2.04.050.I.5 authorizes the City Council to waive the competitive bidding and award process set forth in Article 2.04.050.A when it is in the best interests of the City; and

WHEREAS, staff from the Treasury and Information Technology Divisions prepared and distributed a Request for Proposal to numerous proposed vendors; and

WHEREAS, the Treasury and Information Technology Divisions reviewed proposals and facilitated product presentations by the six responding vendors for an Enterprise Point-of-Sale (POS) System; and

WHEREAS, the selection committee recommended Active Network based on their knowledge and experience installing enterprise cashiering solutions and their ability to provide an Enterprise Point-of-Sale (POS) System to meet the unique needs of the City; and

WHEREAS, initial funds for a not-to-exceed in the amount of \$250,000.00 have been allocated from the Treasury Division FY 2006-2007 Budget to cover the cost of the associated hardware, software, licensing, and first year maintenance, and approximately \$20,000 (beginning in FY

2008); for maintenance to be distributed annually among various agencies (Departments) that will use the Enterprise Point-of-Sale System; and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional and technical nature; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status; now, therefore, be it

RESOLVED: That, based on the above, the City Council hereby finds and determines that it is in the best interest of the City to waive the competitive bidding and award process set forth in Article 2.04.050.A and so waives, and authorizes the City Administrator to award a contract for an automated case handling system through the solicitation process described in the City Administrator's report accompanying this resolution ~~enter into an agreement with Active Network to provide the City with an Enterprise Point-of-Sale (POS) System;~~ and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to negotiate ~~and execute a contract;~~ for an amount not ~~to exceed~~ \$250,000.00 for the Enterprise Point-of-Sale (POS) System with Active Network and. ~~The City Council hereby authorizes the City Administrator to begin negotiating with the second highest ranked vendor if negotiations with Active Network fail due to contractual obligations;~~ and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to approve any subsequent amendments to or extensions of the purchase order with the exception of those related to an increase in the purchase price or the allocation of additional funds provided that such amendments or extensions shall be filed with the City Clerk's office; and, be it

FURTHER RESOLVED: That the purchase order and/or other contract form shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 31 2006, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND~~ BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE - 6

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks, Chang - 2

ATTEST: 
LATONDA SIMMONS

City Clerk and Clerk of the Council of
the City of Oakland, California