INTRODUCED BY

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Member of the City Council

RESOLUTION No. _____79281_____ C.M.S.

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A RESOLUTION
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT, WITHOUT RETURNING TO COUNCIL, WITH MUNICIPAL SOFTWARE CORPORATION FOR PROFESSIONAL SERVICES TO PROVIDE, INSTALL, AND LICENSE PROPRIETARY COMPUTER SOFTWARE FOR A PERMIT AND CODE ENFORCEMENT TRACKING SYSTEM (PCETS) COMPONENT OF AN INTERFACED PERMIT AND CODE ENFORCEMENT TRACKING SYSTEM (PERTS) IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED EIGHTY THOUSAND DOLLARS ($780,000.00)

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WHEREAS, the Council of the City of Oakland determined in the FY 2001/03 Capital Improvement Budget that the Community and Economic Development Agency (CEDA) had a critical need for a Permit, Enforcement, and Records Tracking System (PERTS) to replace and upgrade the automation of its regulatory functions and so allocated the funding for said PERTS in the Technology Project section; and

WHEREAS, the Information Technology Division (IT) of the Finance and Management Agency (FMA) and the Community and Economic Development Agency (CEDA) subsequently issued and publicly advertised in July 2002 a Request For Proposal (RFP) for qualified bidders to provide, install, and license computer software for said PERTS; and

WHEREAS, IT and CEDA thoroughly evaluated the submittals received from bidders in accordance with criteria established in the RFP; and

WHEREAS, following said evaluation of the RFP submittals, IT and CEDA made a recommendation that the City Council authorize the negotiation and execution of a professional services contract with the Municipal Software Corporation and the Xerox Global Services Corporation in an "Agenda Report" dated December 9, 2003, to Deborah Edgerly, City Administrator, entitled, "A Report For The Purchase And Installation Of Computer Hardware And Software And Professional Services For An Integrated Permit, Enforcement, and Records Tracking System (PERTS) For A Total Amount Not To Exceed Four Million Dollars ($4,000,000)"; and

WHEREAS, following said negotiations, CEDA made a further recommendation that the City Council authorize the negotiation and execution of a professional services contract with the Municipal Software Corporation in an "Agenda Report" dated July 13, 2004 to Deborah Edgerly, City Administrator, entitled, "A Report and Supplemental Resolutions Authorizing The City Administrator To Execute Separate Professional Services Agreements, Without Return To Council, Either With ImageSource Corporation Or Razorfish Corporation To Provide, Install, And License Computer Softwre And hardware As A Prime Contractor For An Interfaced Electronic Document Management System (EDMS) In An Amount Not To Exceed Two Million Eight Hundred Twenty Thousand Dollars ($2,820,000) Or As A Prime Contractor For a Combined Permit, Enforcement, And Records Tracking System (PERTS) In an Amount Not To Exceed Three Million Six Hundred Thousand Dollars ($3,600,000)" "; and

WHEREAS, at the July 13, 2004, meeting of the Finance and Management Committee, staff was directed to return to the City Council for authorization for the City Administrator to execute a PCETS contract; and

WHEREAS, the City Council periodically authorizes the City Administrator to negotiate and execute contracts for technology- based professional services; and

WHEREAS, the City Council finds that the services are professional, scientific, or technical; and

WHEREAS, the City Council finds that the services are temporary in nature; and

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

WHEREAS, the City Council finds that the services are exempt from competitive bidding pursuant to Section 2.04.050.I of the Oakland Municipal Code;

Now, therefore, the Council of the City of Oakland does resolve as follows:

RESOLVED, that the Council of the City of Oakland does hereby authorize the City Administrator or his or her designee to execute a professional services agreement, without returning to the City Council, with Municipal Software Corporation to provide, install, and license proprietary computer software for a Permit and Code Enforcement Tracking System (PCETS) component of an interfaced Permit, Enforcement, and Records Tracking System (PERTS) in an amount not to exceed Seven Hundred Eighty Thousand Dollars ($780,000.00); and be it further

RESOLVED, that the Council of the City of Oakland does hereby authorize the City Administrator or his or her designee to fund expenditures for said agreement with a combination of appropriations from a re-allocation of unexpended technology project appropriations, originally approved as part of the FY 01/03 Capital Improvement Program for CEDA, from an appropriation of supplemental revenue in a CEDA project from a Technology Enhancement service fee and from a Records Management service fee assessed by the Building Services Division of CEDA, and from the baseline appropriation for the Building Services FY 2005/ 2007 general purpose fund (1010) budget; and be it further

RESOLVED, that City of Oakland will stop payment to the contractor at the fifth month of the contract if the Interface Module fails.

IN COUNCIL, OAKLAND, CALIFORNIA, _____ **JUN 0 7 2005** _____ **, 2005**

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, BRUNNER, CHANG, NADEL, QUAN, ~~KEN~~ ~~RENN~~ PRESIDENT DE LA FUENTE, *AND KERNIGHAN — 7*

NOES: *∅*

ABSENT: *Reid — 1*

ABSTENTION: *∅*

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California