

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2019 OCT 11 AM 9:56 **OAKLAND CITY COUNCIL**

RESOLUTION NO. 87918 C.M.S.

**RESOLUTION: 1) WAIVING THE COMPETITIVE PROPOSALS/
QUALIFICATIONS (RFP/Q) SOLICITATION REQUIREMENT AND**

2) AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE MONTCLAIR VILLAGE ASSOCIATION FOR THE OPERATION AND MANAGEMENT OF THE MONTCLAIR GARAGE, LOCATED AT 6235 LA SALLE AVENUE, AND THE SCOUT LOT, LOCATED ON 2250 MOUNTAIN BOULEVARD FOR AN INITIAL PERIOD OF THREE YEARS AT AN ANNUAL COMPENSATION AMOUNT OF \$252,000 (INCLUDING \$237,000 IN REIMBURSABLE OPERATING EXPENSES AND \$14,800 IN MANAGEMENT FEES AND INCENTIVES) FOR A TOTAL CONTRACT AMOUNT OF \$756,000, WITH AN OPTION TO EXTEND FOR AN ADDITIONAL TWO-YEARS AT AN ANNUAL COMPENSATION AMOUNT OF UP TO \$252,000 FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$1,260,000

WHEREAS, the Montclair Village Association ("MVA") is a merchant-based Business Improvement District made up of approximately 230 retail and service businesses located in Oakland's Montclair District City; and

WHEREAS, the MVA's predecessor organizations, the Montclair Garage Commission and the Montclair Business Association, were instrumental in getting the garage built in 1976, and expanded in 1988; and

WHEREAS, the MVA has satisfactorily managed the Montclair Garage and Scout Lot, both in the Montclair neighborhood and City-owned parking facilities, since 1990; and

WHEREAS, the City desires to maintain parking operation and facility management services for the parking facilities currently managed by the Montclair Village Association; and

WHEREAS, the City finds that the service is professional in nature; and

WHEREAS, the City finds that the agreement shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.040.B.4 requires formal advertising and solicitation of proposals/qualifications for professional service contracts involving expenditures of more than \$25,000.00; and

WHEREAS, OMC Section 2.04.051.B allows for the waiver by the Council of these requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, the previous agreement between the City and MVA expired on June 30, 2019 and, at the request of staff, MVA has continued to operate the parking facilities; and

WHEREAS, funds for the agreement are available in the adopted FY 2019-2021 budget in the Multipurpose Reserve Fund (1750); Parking Citation Assistance Center (08931); now, therefore, be it

RESOLVED, That the Council hereby finds and determines that it is in the best interests of the City to waive formal advertising and competitive selection requirement of the OMC to extend the current parking management contract with the Montclair Village Association, because it would be most efficient and cost effective to maintain continuity of the current and ongoing parking facility management services; and be it

FURTHER RESOLVED, That the Council hereby finds that, given its historic role in partnering with the City and businesses in the Montclair District in developing necessary parking for customers, visitors and businesses, it is in the best interests of the City to waive the formal advertising and competitive selection requirement of the OMC; and be it

FURTHER RESOLVED, that the City Administrator is hereby authorized to negotiate and execute a professional services agreement with Montclair Village Association for parking management for an initial period of three years, at an annual compensation amount of \$252,000 (including \$237,000 in reimbursable operating expenses and \$14,800 in management fees and incentives) for a total contract amount of \$756,000 with an option to extend for an additional two years at an annual compensation amount of up to \$252,000; and be it

FURTHER RESOLVED, that Montclair Village Association be compensated for said parking management services, using funding available in Multipurpose Reserve Fund (1750); Parking Meter Services (08931); Miscellaneous Contract Services Account (54919), Administrative Project (1000007), Parking Management Program (IP60); and be it

FURTHER RESOLVED, that the agreement authorized hereunder is subject to City Attorney approval for form and legality and shall be placed on file in the Office of the City Clerk without returning to Council.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **NOV 05 2019**

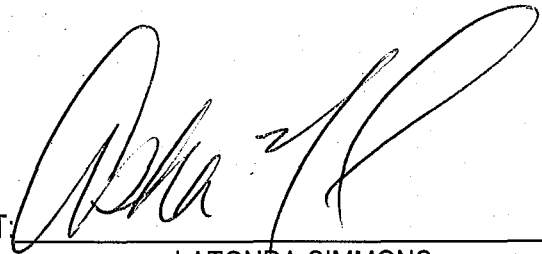
AYES - FORTUNATO BAS, GALLO, ~~ABSTENTION~~, KALB, ~~REID~~, TAYLOR, THAO AND
PRESIDENT KAPLAN - 6

NOES - 0

ABSENT - Reid, McElhenny - 2

ABSTENTION - 0

ATTEST:



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