

796605

18 (1 only)

Moved, Seconded

Item #

Vote Count

Date

Public Speaker

no

Pulled by

Agenda

Consent / Non Consent:

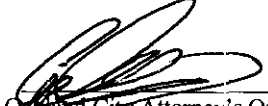
Council Date:

Notes

and full

Adopt 18-1 as amended to direct staff to return to the PSC and Council after the ~~the~~ conclusion of negotiations with Nextel to allow review of the final agreement and further directing staff to ask Nextel for the timeline on reimbursement of expenses owed to the City of Oakland.

OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2005 DEC -1 PM 6:42

*Need new
reso.*

OAKLAND CITY COUNCIL
RESOLUTION No. 79665 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH NEXTEL COMMUNICATIONS FOR THE REPLACEMENT, RETUNING, UPGRADE AND MODIFICATION OF THE CITY'S 800 MHZ RADIO EQUIPMENT PER THE FCC REBANDING AGREEMENT ~~WITHOUT RETURN TO COUNCIL.~~

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 78454 authorizing the City Manager to negotiate and return to Council a contract for the Radio system upgrade; and

WHEREAS, the Information Technology Division pursued additional funding sources for the radio upgrades; and

WHEREAS, as a result an Federal Communications Commission (FCC) order, Nextel will pay at least \$2.8 billion for a rebanding process that will eliminate the current interleaved spectrum shared by Nextel and public-safety agencies of this RFP process; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to facilitate this rebanding effort by Nextel; and

WHEREAS, the current estimate is that as much as \$8 million of the estimated \$11 million dollar infrastructure and radio replacement needs will be paid through the Nextel agreement; and

WHEREAS, the products and services provided by this agreement is governed by the settlement agreement and mandate of the Federal Communications Commission; and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in 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 in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or her designee to negotiate and execute an agreement with Nextel Communications for the replacement, retuning, upgrade and modification of the city's 800 MHz radio equipment per the FCC rebanding agreement without return to Council; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract 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, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: _____

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