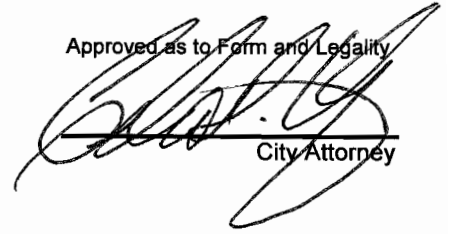


**FILED**  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 JUL 19 PM 2:54

Approved as to Form and Legality



City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 84500 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXPEND ~~(\$3,042,000)~~ THREE MILLION FORTY TWO THOUSAND DOLLARS (\$3,042,000) FROM THE FY 2012-2013 GENERAL FUND UNDESIGNATED FUND BALANCE ON PUBLIC SAFETY RADIO SYSTEM (P25) ~~INCLUDING AND~~ 911 INFRASTRUCTURE UPGRADES AND IMMEDIATE IMPROVEMENT NEEDS TO DISPATCH COMMUNICATIONS CENTERS AND 1) WAIVE THE COMPETITIVE BIDDING, ADVERTISING, AND REQUEST FOR PROPOSAL PROCESS AND 2) DELEGATE AUTHORITY TO THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD CONTRACTS**

**WHEREAS**, a public safety radio system is required in order to ensure the safety of residents who need emergency services and of emergency responders; and

**WHEREAS**, there are radio communications failures in the City of Oakland's public safety radio system; and

**WHEREAS**, staff has identified the causes of many of these radio communications failures and has developed an infrastructure improvement plan that will significantly decrease radio failures; and

**WHEREAS**, the radio system and our 911 infrastructure are critical and necessary tools which serves the City's public safety employees and residents and it is in the best interest of the City to ~~remediate~~ correct the identified ~~needs~~ causes as expeditiously as possible; and

~~**WHEREAS**, staff has determined the required upgrades and improvements must be able to integrate into existing systems and facilities and therefore limit the qualified vendors which are able to provide the equipment and services to facilitate the upgrades and improvements at the lowest possible cost; and~~

**WHEREAS**, to promote expediency, staff shall utilize existing contracts for services and equipment to the fullest extent possible;

**WHEREAS**, Oakland Municipal Code ("OMC") section 2.04.050 requires advertising and bidding for contracts for the purchase of supplies, equipment, and computer software and the award to the lowest responsible, responsive bidder if award is made; and

**June 25, 2013 Finance Committee Alternative Recommendations – Redline**  
(Revised per July 2, 2013 Council meeting)

**WHEREAS**, OMC section 2.04.051 requires that a competitive Request For Proposal ("RFP") or Request For Qualifications ("RFQ") selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1; and

**WHEREAS**, OMC sections 2.04.050.I. and 2.04.051.B permit the Council to waive advertising, bidding and the request for proposal/qualifications processes upon finding that it is in the City's best interest to do so; and

**WHEREAS**, staff has determined that a limited number of qualified vendors are able to supply the equipment and professional services; ~~and City Administrator has determined that the services that will be needed for these public safety communication improvements are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and~~

**WHEREAS**, the City Administrator has determined that the services that will be needed for these public safety communication improvements are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, ~~in its the June 25, 2013 Finance Committee report, staff recommended the funds be used to pay for four (4) projects:~~ 1) APL Communications Facility Uninterruptible Power Supply Replacement, Emergency Generator Power System Reconfiguration, Emergency Heat Exhaust Fan Installation (estimated cost \$450,000) ("Project 1"); 2) 911 Communications Centers (OPD Dispatch Center and Fire Dispatch Center) - Electrostatic Discharge Remediation and Upgrades, Video Display Monitor Replacements, Dispatcher Console Cabling Replacements, Communications Shelter Replacement (estimated cost \$1,592,000) ("Project 2"); 3) Seneca Communications Facility – Building Shelter Replacement, Emergency Generator Replacement, Grounding Power and Upgrades (estimated cost \$500,000) ("Project 3"); and, 4) GWIN Communications Facility – Emergency Generator Replacement, Power and Grounding Upgrades, Communications Shelter Replacement (estimated cost \$500,000) ("Project 4"); and

~~**WHEREAS**, the Finance Committee forwarded alternative recommendations to the City Council to 1) allocate funds for projects 1 and 2 above, with an estimated cost of \$2,042,000; and 2) deposit funds in the amount of \$1,000,000 into a reserve account to be used at a future date for radio video projects; and~~

~~**WHEREAS**, the Finance Committee approved staff's recommendations as amended to approve funding for to fund the APL Communications Facility and for the 911 Communications Centers improvements conditional upon staff's , subject to completion of the R56 audit and compliance with the R56 audit; and;~~

~~**WHEREAS**, the Finance Committee further directed staff to prioritize work on the side-by-side comparison of the City's current system and EBRCSA which the Committee had previously directed be undertaken; and~~

~~**WHEREAS**, the Finance Committee further directed that the side-by-side comparison report and revisions to the scope should be brought to the Finance Committee no later than its first meeting in November, under the direction of the Compliance Officer, and that it specifically include:~~

~~1) An independent audit report which includes a mobile drive test of Oakland radios on the EBRCSA system,~~

**June 25, 2013 Finance Committee Alternative Recommendations — Redline**  
**(Revised per July 2, 2013 Council meeting)**

2) An analysis of whether the City and EBRCSA should consolidate the towers currently being used in their respective networks; and

3) A plan for establishing by contract with the respective vendors, the responsibility for warranties for system performance, maintenance, repairs and upgrades for each network; and

WHEREAS, the Finance Committee also directed that the \$500,000 funding for the Seneca Communications Facility and the \$500,000 for the GWIN Communications Facility be set aside to be used once Council has made a decision regarding whether to continue to use of the City's current P25 system network, or or to joining the EBRCSA system network or to consolidate the two networks; and

WHEREAS, the Committee further directed staff to prioritize work on the side-by-side comparison of the City's current system and EBRCSA. The side-by-side comparison report and revisions to the scope should be brought to the Finance Committee no later than its first meeting in November, under the direction of the Compliance Officer, and address the following:

1) Independent audit report which includes a mobile drive test of Oakland radios on the EBRCSA system;

2) Possible tower consolidation; and

3) Identify what parties will be responsible for warranties, maintenance, repairs and upgrades for each system.

**WHEREAS,** the appropriation of General Purpose Fund (1010) fund balance is necessary to implement the these infrastructure improvements recommended above; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or her designee to negotiate and award contracts for Project 1 and Project 2 public safety radio system upgrades and immediate improvements to the dispatch communications center in an amount not to exceed \$2,042,000~~\$3,042,000~~; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to deposit \$1,000,000 in a reserve account to be used in the future for radio video ~~radio~~ projects; and be it

**FURTHER RESOLVED:** The City Administrator is authorized to appropriate \$3,042,000 in fiscal year 2012-13 from the General Purpose Fund (1010) fund balance to effect these improvements and fund the reserve; and be it

**RESOLVED:** The City Administrator will report to the City Council on the amount of each contract awarded and the improvements associated with each one; and be it,

**FURTHER RESOLVED:** That pursuant to OMC sections 2.04.050.I. and 2.04.051.B and based on the reasons set forth in the City Administrator's agenda report accompanying this resolution, the City Council hereby finds and determines that it is in the best interest of the City to waive the competitive request for proposal/qualifications process for the purchase of goods and services related to the delivery of 911 infrastructure upgrades; and be it

**FURTHER RESOLVED:** That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

**FURTHER RESOLVED:** That the contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 2 2013

**PASSED BY THE FOLLOWING VOTE:**

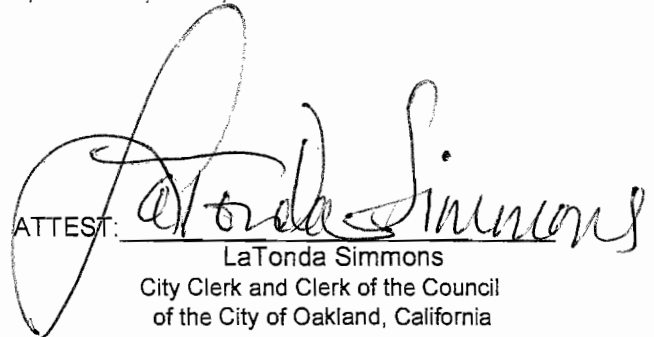
AYES - ~~Brooks~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES -

ABSENT -

ABSTENTION - Brooks - 1

ATTEST:



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