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OFFICE OF THE CITY CLERK  
OAKLAND

2014 JUL 10 PM 2:48

# AGENDA REPORT

**TO:** HENRY L. GARDNER  
INTERIM CITY ADMINISTRATOR

**FROM:** LaTonda Simmons

**SUBJECT:** Offsite Storage Vendor Services

**DATE:** June 30, 2014

City Administrator  
Approval

Date

7/10/14

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends the City Council approve a resolution authorizing the City Administrator to:

- 1) extend the contract with GRM Information Management Services for records and information management services on a month to month basis until execution of a new contract and the City's records inventory is transferred to the new records management contractor for a period no later than March 31, 2015 in an amount not to exceed \$162,500; and 2) waive the advertising and Request for Proposal/Qualification (RFP/Q) process for the agreement extension with current contractor GRM Information Management Services; and 3) proceed with contract negotiations and return to Council within 90 days to award a contract for records and information management services.

## EXECUTIVE SUMMARY

Preservation of records is an essential function of all municipal operations. States, counties and cities have the option to establish the location and methodology for management of Records Management programs as an essential function of operations. The Office of the City Clerk administers the Citywide Records Management Program which includes the contract for offsite storage and records management services.

Use of commercial records storage and management services adds layers of protection and aides in effective management of City's records while conforming to records management best practices for preservation of municipal records. Offsite storage is one element of the Comprehensive Records and Information Management Program framework (subject of Resolution No. 82908 C.M.S., dated July 20, 2010 and discussed at the Public Ethics Commission earlier this year) that was later reported back to City Council by way of letter.

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## **OUTCOME**

Approval of this staff's recommendation will allow staff to proceed with contract negotiations for offsite storage services with a new vendor and will ensure the City continues to receive records and information management services until a contract is awarded to the new vendor. Continued use of a commercial vendor will ensure the City's ability to protect and maintain access to records essential to City operations through the transition to a new service provider.

## **BACKGROUND/LEGISLATIVE HISTORY**

In 1999 Council authorized execution of a contract with SIMMBA Systems for the retention and offsite storage of city records. In October 2002, the City Council authorized execution of a contract extension with SIMMBA Systems. This resolution, No. 77481 C.M.S provided for an extension of contract services through the end of 2005 and authorized the City Administrator to approve subsequent amendments and/or extensions for up to three years. During this contract period in 2003, SIMMBA Systems was acquired by GRM. On July 3, 2012, Resolution No. 83955 C.M.S. authorized an extension of the GRM contract while staff proceeded with the competitive RFP/Q process.

Pursuant to the authorization of Resolution No. 83955 C.M.S., the City Administrator amended the agreement with GRM for the period from October 15, 2011 through February 15, 2013. The Request for Proposals was issued December 5, 2013. As staff continues work on forming final recommendations, the proposed contract amendment is necessary to cover expenses for GRM services through transfer of city records to the new vendor, not to exceed March 31, 2015.

Subsequent to the transition, the new vendor will assume storage and management of city records in accordance with federal, state and local laws.

## **ANALYSIS**

Access to records at the offsite storage facility is critical to the continuity of City services and obligations to deliver information for legal and financial purposes. The City of Oakland currently houses approximately 27,000 boxes of records in the GRM offsite storage facility and this inventory increases on average at a rate of approximately 2,000 boxes per year.

A review of storage services activities over the past three years demonstrates robust activity in the transfer of records between City departments and GRM. During the period 2010 to 2012, there were 6,983 requests for GRM services, primarily for delivery of records driven by requests from departments and members of the public. Peaking activities during the past three years include a high of 3,335 GRM service requests in 2012, with a significant portion driven by Public Records Act requests.

While the Clerk's office nears completion of processes for presentation of a contract with a new vendor, the City must maintain access to City records with the current provider and upon award of a contract, coordinate transfer of records to the new vendor. During the extended contract period, staff has identified the following key task for completion no later than the March 31, 2015 deadline:

- Extension of GRM contract & approval to proceed with contract negotiations - July 29, 2014**
- Completion of Contract negotiations - September/October 2014**
- Presentation of the contract to City Council - October/November 2014**
- Transfer of Records to New Vendor - No later than March 2015**

Offsite storage is an essential element of the Comprehensive Records and Information Management Program which focuses on best practices to increase the City's effectiveness and efficiency in the management of City records and information. In stabilizing controls on the management of City Records to ensure proper collection and organization, staff has focused on ensuring preservation of records occurs according to state and local standards, including active Departmental participation and the institution of Administrative Instructions for these specific activities. To effectuate improved controls of records stored offsite, staff needs additional time to complete the above tasks that will leverage the success of the Comprehensive Records and Information Management Program

Accordingly, Oakland Municipal Code section 2.04.051.B authorizes the City Council to waive the RFP/Q process upon a finding that it is in the City's best interest to do so. Staff recommends waiving the RFP/Q process for a contract extension with GRM to transition the City's current records inventory to the newly selected contractor and allow the City to maintain access to records to comply with local, state, and federal requirements. Staff will return to Council within 90 days to award contract to highest ranking bidder.

### **PUBLIC OUTREACH/INTEREST**

Providing public access to city records and responding to discovery requests is required by federal, state, and local laws. Proper organization of City Records is essential to the City's ability to comply with these laws and in the interest of the public. Utilization of offsite storage services is the most cost effective and efficient means of maintaining the City's records to support the needs of staff and the public.

### **COORDINATION**

The Office of the City Clerk prepared and issued the Request for Proposals with the assistance of Contract Compliance on December 5, 2013. Staff from the Office of the City Attorney, Public

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Works Department, Department of Human Resource Management, Finance Department and Department of Information Technology participated in the internal review of proposals, in addition to an external panel of municipal representatives.

**COST SUMMARY/IMPLICATIONS**

AMOUNT OF RECOMMENDATION/COST OF PROJECT:

1. SOURCE OF FUNDING: City Clerk's Project #A466210 (carry forward and future budget)
2. FISCAL IMPACT: \$162,500

**SUSTAINABLE OPPORTUNITIES**

*Economic:* None

*Environmental:* None

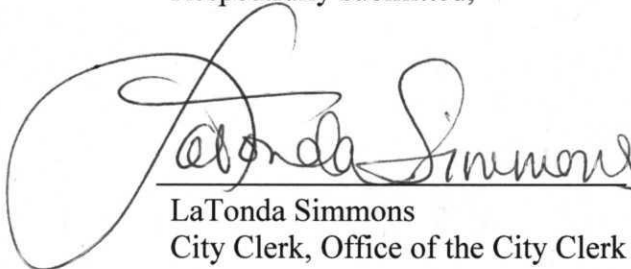
*Social Equity:* Approval of the Resolution ensures access to public information for all members of the public

**CEQA**

This report is not a project under CEQA.

For questions regarding this report, please contact DEIDRE SCOTT, CITYWIDE RECORDS MANAGER at 510-238-3624.

Respectfully submitted,



LaTonda Simmons  
City Clerk, Office of the City Clerk

Prepared by:  
Deidre Scott, Records Manager  
Records Division

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OAKLAND

# OAKLAND CITY COUNCIL

*Macaulay*  
City Attorney

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RESOLUTION No. \_\_\_\_\_ C.M.S.

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:**

- 1) EXTEND THE CONTRACT WITH GRM INFORMATION MANAGEMENT SERVICES FOR RECORDS AND INFORMATION MANAGEMENT SERVICES ON A MONTH TO MONTH BASIS UNTIL EXECUTION OF A NEW CONTRACT AND THE CITY'S RECORDS INVENTORY IS TRANSFERRED TO THE NEW RECORDS MANAGEMENT CONTRACTOR FOR A PERIOD NO LATER THAN MARCH 31, 2015 IN AN AMOUNT NOT TO EXCEED \$162,500.00; AND**
- 2) WAIVE THE ADVERTISING AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS FOR THE AGREEMENT EXTENSION WITH CURRENT CONTRACTOR GRM INFORMATION MANAGEMENT SERVICES; AND**
- 3) PROCEED WITH CONTRACT NEGOTIATIONS AND RETURN TO COUNCIL WITHIN 90 DAYS TO AWARD CONTRACT FOR RECORDS AND INFORMATION MANAGEMENT SERVICES**

**WHEREAS,** the City of Oakland recognizes established record keeping guidelines set forth in both federal and state law to ensure a records management program that is cost effective, preserves vital and historical City records, and guarantees its citizens and staff access to public records of the City; and

**WHEREAS,** the Records Management Division in the Office of the City Clerk is responsible for the City-wide Records and Information Management Program; and

**WHEREAS,** City Council passed Resolution 83955 C.M.S. on July 3, 2012, directing the Office of the City Clerk to prepare and issue competitive bidding for records management services; and

**WHEREAS,** the City lacks staff, systems and facilities to provide and maintain in-house records storage and management services; and

**WHEREAS,** continuing to outsource this facet of the City-wide Records and Information Management Program to a commercial records contractor will reduce administrative costs, improve efficiency and productivity, and broaden controls to obtain compliance with local and state law; and

**WHEREAS,** the Office of the City Clerk conducted a competitive bid process with the assistance of Contracts Compliance Department, including both internal and external panel reviews and recommendations; and

**WHEREAS,** the current contractor, GRM Information Management Services was unsuccessful in the competitive bidding process, but will continue to provide services until all of the City's records inventory is transferred to the new vendor by March 31, 2015; and

**WHEREAS**, Oakland Municipal Code (OMC) section 2.04.051.A requires the City Administrator to conduct an RFP/Q process for professional services contracts in excess of \$25,000 and OMC section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

**WHEREAS**, City staff recommends waiving the RFP/Q requirements for this contract extension so that GRM can transition the City's current records inventory to the newly selected contractor and so that the City can continue to maintain access to records and comply with local, state and federal requirements for providing access to city documents; and

**WHEREAS**, the City Council has authorized the City Administrator to enter into contracts for professional or specialized services if the mandates of Oakland City Charter Section 902(e) have been met and the City Administrator has determined that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to extend the contract with GRM Information Management Services for storage and records management services up to and through the transition of the City's records inventory to the new contractor for a period not later than March 31, 2015 in an amount not to exceed \$162,500.00; and be it

**FURTHER RESOLVED:** That the primary funding source is the General Fund (1010), Organizational Code (03121) and Account Codes (53219 and 54919); 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 proposed agreement are of a professional, scientific, or technical nature and 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 pursuant to OMC 2.04.051.B. and for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive the Request for Proposals/Qualifications (RFP/Q) requirements for this contract extension and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contract extension 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; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California