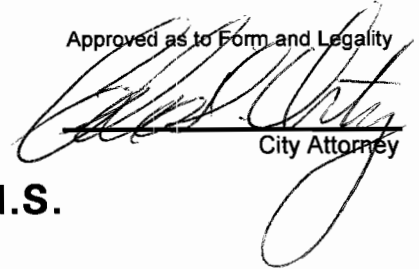


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2013 FEB 14

RESOLUTION No. 84231 C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) EXECUTE A MASTER LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF \$11,850,000 TO REPLACE APPROXIMATELY 153 VEHICLES AND EQUIPMENT ITEMS AND (2) AUTHORIZING THE WAIVER OF THE OAKLAND PURCHASING ORDINANCE'S FORMAL ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR ITEMS AVAILABLE FROM LOCAL VENDORS AND ALLOWING THE CITY ADMINISTRATOR TO SOLICIT BIDS FROM THREE VENDORS AND AWARD CONTRACTS FOR THE PURCHASE OF THE VEHICLES AND EQUIPMENT WITHOUT RETURNING TO COUNCIL AND (3) FOR ITEMS NOT AVAILABLE FROM LOCAL VENDORS, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO COOPERATIVE PURCHASE AGREEMENTS WITH OTHER GOVERNMENTAL AGENCIES TO PURCHASE THE NEEDED VEHICLES AND EQUIPMENT.

WHEREAS, Over one half of the City's vehicle and equipment fleet is aged beyond its economic life and that certain assets have deteriorated to a point so as to compromise the performance of essential public services; and

WHEREAS, Replacement reserve funds are not available to purchase the needed items outright; and

WHEREAS, Excessive maintenance costs for existing equipment is exceeding potential financing cost for its replacement; and

WHEREAS, The City has utilized equipment master lease-purchase agreements in 2000 and 2002 for similar purposes; and

WHEREAS, The Equipment Services Division will use the City's informal competitive bid process or cooperative purchasing agreements to purchase the vehicles; and

WHEREAS, Oakland Municipal Code ("OMC") Section 2.04.050 A requires formal advertising and competitive bidding for purchases of vehicles and related equipment installation services and the award to the lowest responsible, responsive bidder if award is made; and

WHEREAS, Section 2.04.050 I. 5 provides an exception to the formal advertising and competitive bidding requirement of the OMC upon a finding and determination by the Council that it is in the best interests of the City to do so; now, therefore be it

RESOLVED, the Council hereby finds and determines that pursuant to OMC Section 2.04.050 I. 5 it is in the best interests of the City to waive formal advertising and competitive bidding based on the reasons and circumstances set forth in the Council Report that accompanies this Resolution; and be it

FURTHER RESOLVED, that the City Administrator is authorized to execute a Master Lease-Purchase Agreement in the amount of \$11,850,000, the Equipment replacement Schedule, and the Escrow Agreement related to the lease financing of the vehicles and equipment without returning to council; and be it

FURTHER RESOLVED, that the City Administrator is authorized to acquire approximately 153 energy efficient vehicles and pieces of equipment on behalf of the City to replace the City's fleet vehicles scheduled for replacement; and be it

FURTHER RESOLVED, that for items available from local business enterprises, the City Administrator is authorized to forego formal advertising and competitive bidding and solicit bids from three vendors and award contracts for the purchase of the vehicles and equipment without returning to Council; and be it

FURTHER RESOLVED, that in the event that such equipment is not obtainable through local business enterprises, the City Administrator is authorized to enter into cooperative purchase agreements with other governmental agencies to purchase the needed vehicles and equipment.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 5 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, McELHANEY, ~~REID~~, SCHAAF and PRESIDENT KERNIGHAN - 7

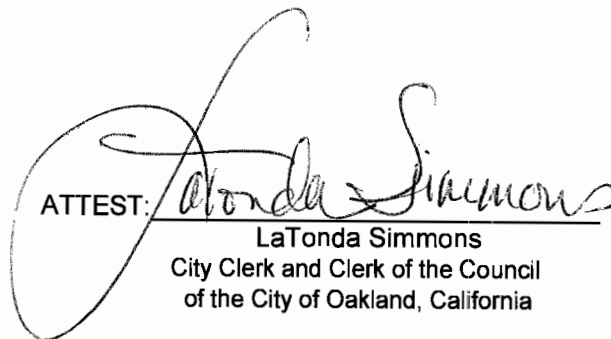
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused-Reid-1

ATTEST:



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