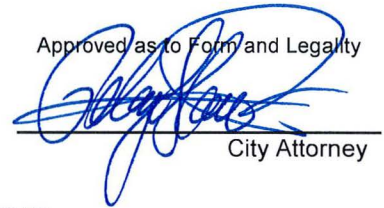


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 FEB 10 PM 12:11

Approved as to Form and Legality



City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. 86023 C.M.S.

**RESOLUTION: (A)WAIVING ADVERTISING, COMPETITIVE BIDDING, AND THE REQUEST FOR PROPOSALS/QUALIFICATIONS ("RFP/Q") COMPETITIVE SELECTION REQUIREMENTS AND (B) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT FOR A TWO - YEAR TERM FROM MARCH 15, 2016, TO MARCH 14, 2018 WITH: VIDEO MEDIA INC., IN AN AMOUNT NOT TO EXCEED \$140,000.00 FOR THE PURCHASE, REPAIR, AND/OR MAINTENANCE OF EQUIPMENT USED TO RECORD AND BROADCAST CITY OF OAKLAND LEGISLATIVE AND NON-LEGISLATIVE CONTENT, WITHOUT RETURN TO COUNCIL:**

**WHEREAS,** KTOP-TV is the City of Oakland's Government Cable Access television station. Pursuant to state and federal statutory requirements, KTOP-TV broadcasts and archives the meetings of the Oakland City Council; City established legislative bodies, and special content regarding City of Oakland activities; and

**WHEREAS,** OMC Section 2.04.050 requires advertising and competitive 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

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

**WHEREAS,** OMC section 2.04.051 requires a competitive request for proposals or request for qualifications 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 City Council to waive advertising, competitive bidding and the request for proposals/qualifications processes upon finding that it is in the City's best interest to do so; and

**WHEREAS,** staff recommends that the Council waive the advertising, competitive bidding, and RFP/Q competitive selection requirements and authorize the City Administrator to execute the proposed contract with: Video Media Inc, for the purchase, repair, and/or

maintenance of equipment used to record and broadcast City of Oakland legislative and non-legislative content; and;

**WHEREAS**, In the Agenda Report accompanying this Resolution, staff has set forth the facts supporting waiver of the competitive selection process for this contract; and;

**WHEREAS**, sufficient funds have been budgeted in Miscellaneous Grants (2999), Customer Support (46211), PEG (Public Edu&Gov) Project (P350210), to pay for this contract; and

**WHEREAS**, KTOP TV – 10’s systems and equipment are utilized to support formal and informal activities in the Council Chamber and Hearing Rooms 1 and 2 in nearly all cases. These systems and components provide the means to meet the statutory requirements to broadcast, record, and preserve legislative meetings and non-legislative content; and

**WHEREAS**, KTOP TV – 10’s equipment functionality is critical to meet legislative and broadcast mandates. Often equipment failure repairs are extremely urgent and delays impair KTOP TV-10’s capacity to support legislative activities; and

**WHEREAS**, the ability to operate, maintain, support, upgrade and implement existing systems will provide significant cost savings and other efficiencies to the City by requiring the use of vendors who are familiar with the existing systems and KTOP architecture; now, therefore be it

**RESOLVED**, that the City Council finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution; and be it

**FURTHER RESOLVED**, that pursuant to the Oakland Municipal Code Sections 2.04.050 I.5 and 2.04.051.B and for the reasons stated above and in the Agenda Report accompanying this item, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive bidding, advertising and the request for proposals/qualifications process requirements for the contract; and be it

**FURTHER RESOLVED:** That funds have been budgeted in Miscellaneous Grants (2999), Customer Support (46211), PEG (Public Edu&Gov) Project (P350210); and be it

**FURTHER RESOLVED**, that the City Administrator or her designee is authorized without returning to the City Council to negotiate and execute the agreement with Video Media, Inc., and all documents necessary and related to completion of the agreement, in an amount not to exceed \$140,000.00 for a term of not more than 2 years, commencing March 15, 2016, to provide equipment, maintenance, and repair for unexpected and unanticipated failure of KTOP TV-10 systems and equipment; and be it

**FURTHER RESOLVED**, that the Office of the City Attorney will approve the contracts as to form and legality and copies will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 01 2016, 2016

**PASSED BY THE FOLLOWING VOTE:**

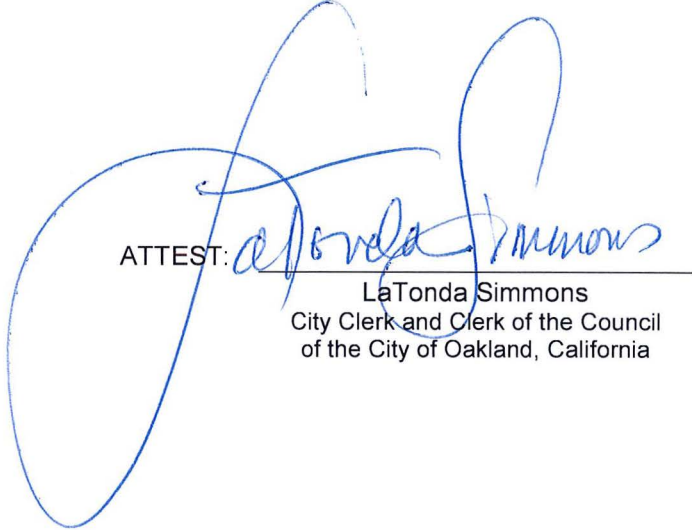
AYES – BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, **KAPLAN**, REID, AND PRESIDENT MCELHANEY **-8**

NOES – **Ø**

ABSENT – **Ø**

ABSTENTION – **Ø**

ATTEST:



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