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APPROVED AS TO FORM AND LEGALITY

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Carlos Ortiz (Feb 29, 2024 2:50 PST)

Feb 29, 2024

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. **90154** C.M.S.

ADOPT A RESOLUTION AMENDING THE CURRENT COOPERATIVE PURCHASE ORDER NUMBER 2020010012 WITH GARLAND/ DBS INC THROUGH OMNIA CONTRACT NUMBER PW1925 TO: (1) INCREASE THE CONTRACT CAPACITY SPENDING AUTHORITY IN AN NOT-TO-EXCEED AMOUNT OF THREE MILLION DOLLARS (\$3,000,000.00) FOR A GRAND TOTAL CONTRACT AMOUNT OF SIX MILLION DOLLARS (\$6,000,000.00); AND (2) EXTEND THE CONTRACT TERM THROUGH OCTOBER 14, 2029 FOR THE REPLACEMENT OF THE ROOF AT THE MAIN LIBRARY, ROOF REPAIRS AND MAINTENANCE AT OTHER CITY FACILITIES; AND (3) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

WHEREAS, the Oakland Public Works, Bureau of Maintenance and Internal Services, Facilities Services Division requires the services of an outside company to complete work on damaged roofs, repair, and maintenance in a timely manner; and

WHEREAS, Oakland Public Library (OPL) was awarded a grant in the amount of four million one hundred ninety-seven thousand three hundred eighty-nine dollars (\$4,197,389.00) from the State of California Library Building Forward: Library and Infrastructure Grant Program Round Two (Library and Infrastructure Grant) for major improvements and upgrades to the Main library.

WHEREAS, commodity services are commonly procured through cooperative agreements, as provided for under Oakland Municipal Code (OMC) 2.04.080. OMC 2.04.080 provides broad authority for the City Administrator to efficiently procure goods and services through cooperative agreement contracts; and

WHEREAS, this contracting approach is intended to provide cost-effective pricing while reducing procurement timelines and administrative requirements. OMC 2.04.080 sets no limit on the size of cooperative agreements that may be entered into by the City Administrator.

WHEREAS, Contract Purchase Order (CPO) #2020010012 with Garland/DBS Inc provides materials and performs repair and construction of roofs at City Facilities. The City has had this

CPO since 2016, and the current remaining contract capacity with Garland/DBS Inc is less than eight hundred thousand dollars (\$800,000.00) and expires on October 14, 2024. This initial contract expiration date was established based on the terms of the OMNIA Partners Group cooperative agreement with Garland/DBS Inc; and

WHEREAS, due to the required project completion deadlines set forth in the State of California Library and Infrastructure Grant, there is a short timeline between the grant application submittal, grant funding award, construction, and completion of the project.

WHEREAS, the roof project at the Main Library has an estimated cost of Two Million Dollars (\$2,000,000.00) which exceeds the remaining contract capacity value (less than \$800,000.00 remaining) with Garland/DBS Inc.

WHEREAS, without the approval of the proposed resolution the City will not be able complete the Main Library Project on the required timeline jeopardizing the awarded grant funding from the State of California and result in the loss, return, or forfeiture of awarded grant fund.

WHEREAS, all proposed contract expenditure allocations shall be expensed through the State of California Library and Infrastructure grant in the amount of \$4,197,389.00, and \$3,148,049.00 in matching funds are to be provided by OPL from Main Library Projects (1003451,1004859) in the state grand fund 2148, including Measure KK (5330, 5332, 5335); leaving approximately \$1,900,000.00 left in contract capacity; and

WHEREAS, other projects utilizing this contract will come from funding identified as part of project approvals; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

RESOLVED: authorize the City Administrator to amend the current Cooperative Purchase Order Number 2020010012 with Garland/DBS Inc through Omnia Contract Number PW1925 to increase the contract capacity spending authority in an not-to-exceed amount of three million dollars (\$3,000,000.00) with a grand total contract amount of six million dollars (\$6,000,000.00); and

FURTHER RESOLVED: extend the contract term through October 14, 2029, for the replacement of the roof at the Main Library and roof repairs and maintenance at other City facilities; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 19 2024

PASSED BY THE FOLLOWING VOTE:

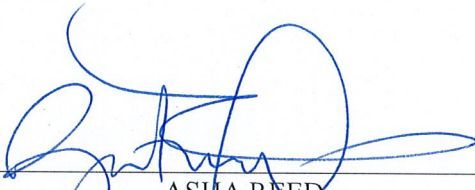
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 8

NOES 0

ABSENT 0

ABSTENTION 0

ATTEST:


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California