



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2019 FEB -7 PM 2:16

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Jason Mitchell  
Director, Public Works

**SUBJECT:** Legislative Amendment for  
Contractual Services for Maintenance  
of Emergency Response Vehicles

**DATE:** January 28, 2019

City Administrator Approval

Date:

2/7/19

## RECOMMENDATION

**Staff Recommends That City Council Adopt A Resolution Authorizing:**

**(1) An Amendment to Authorizing Resolution No. 87161 C.M.S. Governing Contractual Provisions With Golden State Fire Apparatus, Inc. In The Amount Of Two Hundred Thousand Dollars (\$200,000.00) Annually For The Period Of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Contractual Allocation of Six Hundred Thousand Dollars (\$600,000.00) To A Proposed Increased Contractual Amount of Four Hundred Thousand Dollars (\$400,000.00) Annually For The Period of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Increased Contractual Amount of One Million Two Hundred Thousand Dollars (\$1,200,000.00) For Maintenance, Parts And Repair Of Fire Department Emergency Response Vehicles And Related Equipment, Without Returning to Council, And (2) A Waiver Of The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements.**

## BACKGROUND / LEGISLATIVE HISTORY

In May 2018, Oakland Public Works' (OPW) Bureau of Maintenance & Internal Services (BMIS), Equipment Services Division, received City Council authorization to enter into a three-year contractual agreement with Golden State Fire Apparatus, Inc. for an amount not to exceed \$200,000 annually (\$600,000 cumulatively) for maintenance, parts and repair of Oakland Fire Department emergency response vehicles and related equipment (referenced **Attachment A:** Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018).

OPW currently seeks to amend said legislation through a proposed increase in the annual financial set-aside with Golden State Fire Apparatus, Inc. by increasing the annual contractual amount from \$200,000 to \$400,000; with a three-year impact increase from \$600,000 to \$1,200,000.

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Public Works Committee  
February 19, 2019

## **ANALYSIS AND POLICY ALTERNATIVES**

### *Justifications for Proposed Increased Contractual Provisions*

**Golden State Fire Apparatus, Inc.:** Golden State Fire Apparatus, Inc. is the primary distributor of Pierce-manufactured vehicular parts. Although OPW's Equipment Services Division maintains the option of using the services of third party vendors for Pierce-manufactured parts, use of said option will result in the City incurring significant price increases, since all third-party vendors must order their Pierce factory-approved parts through Golden State Fire Apparatus. Accordingly, OPW's purchase of Pierce-manufactured parts directly from Golden State Fire Apparatus will ensure that the City obtains the lowest pricing available.

**Staffing:** Due to staff retirements, employee transfers and delays in recruitments for position vacancies, the Equipment Services Division's internal staffing levels are below what is required (and necessary) to support routine maintenance and repairs of the City of Oakland's fleet, inclusive of emergency response (public safety) vehicles. The Heavy Equipment Shop, which is tasked with performing maintenance and repairs of Pierce Apparatus units and related equipment, has seven (7) of the twenty-three (23) budgeted full-time equivalent (FTE) positions vacant. Although all requisite personnel hiring forms are completed and submitted, there is a lag time for the hiring of staff. Once the vacancies are filled, OPW anticipates decreased dependence on the use of Golden State Fire Apparatus' services related to repair work.

**Age of Fleet:** The average age of OFD's fire trucks, fire engines, pumper trucks and wildland trucks is twenty-three (23) years. The cost to replace these aged units ranges between \$800,000.00 and \$1,400,000.00 per unit. Planned replacements were deferred in prior years due to budgetary constraints; with said deferments equating to the City continually incurring ever-increasing costs associated with maintenance, parts and labor required to ensure each vehicle's operational readiness and safety. As the City continues its efforts to replace the City's equipment via multiple lease purchases, OPW anticipates a decline in the cost of maintaining the fleet and the use of Golden State Fire Apparatus' services related to repair work.

As a direct result of significant staffing shortages, the age of the City's fleet, coupled with the sheer volume of requisite repairs needed for emergency response vehicles, the Equipment Services Division must rely upon multiple external vendors, including Golden State Fire Apparatus, Inc., to provide mandatory maintenance, repairs and parts to keep our fleet operationally sound. Consequentially, the increased volume of outsourced maintenance and repairs of OFD's emergency response vehicles resulted in the premature exhaustion of authorized, annual contractual financial provisions with Golden State Fire Apparatus, Inc.

*Waiver Request and Justification*

Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Title 2, Section 2.04.05I.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process when it purchases goods, professional services, or a combination thereof that exceeds \$50,000. OMC Section 2.04.050.I.5 permits the Council to waive advertising and competitive bidding requirements upon a finding and determination that it is in the City's best interests to do so.

OMC Section 2.04.05I.B and 2.04.050 I.5 permits the City Council to waive the RFP/Q and advertising and competitive bidding requirements upon a finding and determination that it is in the best interests of the City to do so.

To this extent, OPW seeks authorization to waive the RFP/Q, advertising and competitive bidding requirements associated with the proposed amendments to the Golden State Fire Apparatus, Inc. contractual agreement(s) based upon: a) the premature exhaustion of previously authorized annual contractual financial provisions with Golden State Fire Apparatus, Inc.; realized as a direct result of unforeseen increased maintenance and repairs of OFD public safety vehicles, and b) significant staffing shortages within OPW's Equipment Services Division, resulting in routine reliance upon external vendors, including Golden State Fire Apparatus, to provide mandatory maintenance, repairs and parts to keep the City's fleet operationally sound.

**FISCAL IMPACT**

**Proposed Service Agreement  
Golden State Fire Apparatus, Inc.  
For Fire Department Emergency Response Vehicles**

<b>Project Year</b>	<b>Cumulative Amended Contract Amount</b>
<b>2018-2019</b>	<b>\$400,000.00</b>
<b>2019-2020</b>	<b>\$400,000.00</b>
<b>2020-2021</b>	<b>\$400,000.00</b>
<b>Grand Total:</b>	<b>\$1,200,000.00</b>

*Source of Project Funding*

Funding for the proposed contract for the current fiscal year (FY 2018-2019) is available in the Equipment Services Fund 4100; Equipment Services Administration Organization 30541; Repair and Maintenance Miscellaneous Account 54619; Administrative Project 1000010; Fleet Management and Maintenance Program IN01. Annual renewal of the proposed contract for years two and three will be contingent upon the availability of funding in FY 2019-2020 and FY 2020-2021, respectively.

**PUBLIC OUTREACH / INTEREST**

This item did not require additional public outreach other than the required posting on the City's website.

**COORDINATION**

Information that is the basis of this report was coordinated with Oakland Public Works' Bureau of Maintenance & Internal Services, the Oakland Fire Department, the Controller's Office and the Office of the City Attorney.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** Repair and maintenance of the City's fleet and equipment ensures the long-term efficiency and extended life-cycle of these items, while simultaneously reducing financial impacts in comparison to full vehicular replacement costs.

***Environmental:*** Routine maintenance and repair of the City's fleet assets ensures the deployment of up-to-date technologies which can greatly reduce fuel consumption and harmful emissions.

***Social Equity:*** Continually maintaining operational efficiencies for City of Oakland vehicles, inclusive of public safety vehicles, will aid towards guaranteeing that Oakland's neighborhoods are places where the citizenry can thrive in safe and health environments.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt the following:

(1) An amendment to authorizing resolution no. 87161 C.M.S. governing contractual provisions with Golden State Fire Apparatus, Inc. in the amount of two hundred thousand dollars (\$200,000.00) annually for the period of May 1, 2018 through April 30, 2019, with two one-year options to renew, for a grand total contractual allocation of six hundred thousand dollars (\$600,000.00) to a proposed increased contractual amount of four hundred thousand dollars annually for the period of May 1, 2018 through April 30, 2019 with two one-year options to renew, for a grand total increased contractual amount of one million two hundred thousand dollars (\$1,200,000.00) for maintenance, parts and repair of Fire Department emergency response vehicles and related equipment, without returning to Council, and (2) A waiver of the advertising, competitive bidding and request for proposal/qualifications (RFP/Q) requirements.

For questions regarding this report, please contact Joseph Williams, Interim Equipment Services Manager at (510) 615-5489.

Respectfully submitted,



JASON MITCHELL  
Director, Oakland Public Works

Reviewed by:  
Darin White, Chief, Oakland Fire Department

Reviewed by:  
Richard Battersby, Interim Assistant Director  
Bureau of Maintenance & Internal Services

Reviewed by:  
Joseph A. Williams,  
Interim Equipment Services Manager  
Bureau of Maintenance & Internal Services

Prepared by:  
Candice Jessie, Management Assistant  
Bureau of Maintenance & Internal Services

Attachments (1):

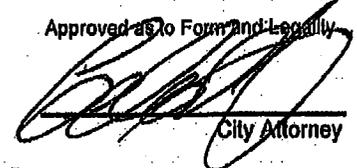
A: Authorizing Resolution No. 87161 C.M.S.

Item: \_\_\_\_\_  
Public Works Committee  
February 19, 2019

Approved as to Form and Legality

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

  
City Attorney

RESOLUTION NO. **87161** C.M.S.  
2018 APR 18 AM 9:02

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

**RESOLUTION AUTHORIZING: (1) A THREE-YEAR AGREEMENT WITH GOLDEN STATE FIRE APPARATUS, INC. FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) ANNUALLY FOR THE PERIOD OF MAY 1, 2018 THROUGH APRIL 30, 2019 FOR MAINTENANCE, PARTS AND REPAIR OF FIRE DEPARTMENT EMERGENCY RESPONSE VEHICLES AND RELATED EQUIPMENT; WITH TWO ONE-YEAR OPTIONS TO EXTEND FOR A GRAND TOTAL AMOUNT OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00), WITHOUT RETURNING TO COUNCIL, AND (2) WAIVING THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSAL/ QUALIFICATIONS (RFP/Q) REQUIREMENTS**

**WHEREAS**, Oakland Public Works' Bureau of Infrastructure & Operations seeks to enter into an agreement with Golden State Fire Apparatus, Inc. for maintenance and repair of the Fire Department's Pierce-manufactured emergency response vehicles, replacement parts and related equipment; and

**WHEREAS**, as of February 2015, Pierce Manufacturing, Inc. issued formal written notification advising that Golden State Fire Apparatus, Inc. would serve as the sole authorized provider for Pierce products and services in Northern and Central California; and

**WHEREAS**, the City Council previously authorized the execution of a contract for service with Golden State Fire Apparatus, Inc. on behalf of the Public Works Agency through the ratification of Authorizing Resolution No. 85484 C.M.S., dated March 31, 2015; and

**WHEREAS**, Oakland Public Works requests authorization to enter into a renewed agreement with Golden State Fire Apparatus, Inc. for an amount not to exceed two hundred thousand dollars (\$200,000.00) annually for the period of May 1, 2018 through April 30, 2019 for maintenance and repair of Fire Department emergency response vehicles and related equipment; and

**WHEREAS**, staff also requests authorization for two one-year options to extend said agreement with Golden State Fire Apparatus, Inc., for a grand total contract amount not to exceed six hundred thousand dollars (\$600,000.00), without returning to Council; and

**WHEREAS**, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process for the procurement of professional services; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

**WHEREAS**, OMC Section 2.04.051.B and 2.04.050 I. 5 permit the Council to waive the RFP/Q and advertising and bidding requirements upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B and 2.04.050 I. 5 waives the RFP/Q and advertising and bidding requirements and authorize the City Administrator or designee to enter into a contract with Golden State Fire Apparatus, Inc.; and

**WHEREAS**, the proposed contractual arrangements between Oakland Public Works and Golden State Fire Apparatus, Inc. will assist the City of Oakland in terms of guaranteeing that critical Fire Department emergency response vehicles and related equipment are maintained to the manufacturer's strict warranty standards and guard against untimely public safety equipment failures; now, therefore be

**RESOLVED**, That the City Council hereby authorizes the City Administrator or designee to enter into a one-year agreement for the period of May 1, 2018 through April 30, 2019 with Golden State Fire Apparatus, Inc. in an amount not to exceed \$200,000.00 annually. The City Council also authorizes two one-year options to extend the agreement for a grand total contract amount not to exceed \$600,000.00; and be it

**FURTHER RESOLVED**, That pursuant to OMC Sections and 2.04.050 I. 5 and 2.04.051.A, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising, competitive bidding and RFP/Q requirements based upon the reasons as set for herein and in the attached report which accompanies this Resolution, and be it

**FURTHER RESOLVED**, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed agreement(s) with the Alameda County Fire Department, except for any increase in the contract(s) costs; and be it

**FURTHER RESOLVED**, That all proposed contract expenditure allocations shall be expensed to the Oakland Public Works Equipment Services Fund 4100; Equipment Services Administration Organization 30541; Repair and Maintenance Miscellaneous Account 54619; Administrative Project 1000010, Fleet Management and Maintenance Program IN01; and be it

**FURTHER RESOLVED**, That proposed contract expenditure allocations for Fiscal Year 2019 through Fiscal Year 2021 will be contingent upon the availability of funding; and be it

**FURTHER RESOLVED**, That the City Attorney shall review and approve the proposed contract(s) as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

MAY 01 2018

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

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN,  
AND ~~AND~~ - 7

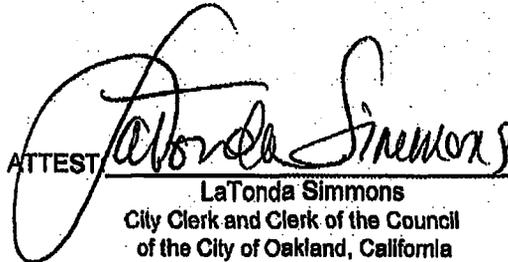
NOES - 0

ABSENT - 0

ABSTENTION - 0

- Excused - Reid

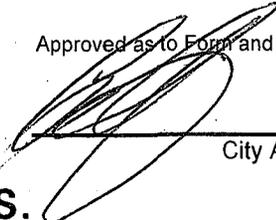
ATTEST

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

2019 FEB -7 PM 2:16

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



\_\_\_\_\_  
City Attorney

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

**RESOLUTION AUTHORIZING: (1) AN AMENDMENT TO AUTHORIZING RESOLUTION NO. 87161 C.M.S. GOVERNING CURRENT CONTRACTUAL PROVISIONS WITH GOLDEN STATE FIRE APPARATUS, INC. IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) ANNUALLY FOR THE PERIOD OF MAY 1, 2018 THROUGH APRIL 30, 2019, WITH TWO ONE-YEAR OPTIONS TO RENEW, FOR A GRAND TOTAL CONTRACTUAL ALLOCATION OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) TO A PROPOSED INCREASED CONTRACTUAL AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) ANNUALLY FOR THE PERIOD OF MAY 1, 2018 THROUGH APRIL 30, 2019, WITH TWO ONE-YEAR OPTIONS TO RENEW, FOR A GRAND TOTAL INCREASED CONTRACTUAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) FOR MAINTENANCE, PARTS AND REPAIR OF FIRE DEPARTMENT EMERGENCY RESPONSE VEHICLES AND RELATED EQUIPMENT, WITHOUT RETURNING TO COUNCIL, AND (2) A WAIVER OF THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSAL/ QUALIFICATIONS (RFP/Q) REQUIREMENTS**

**WHEREAS**, Oakland Public Works' Bureau of Maintenance & Internal Services, Equipment Services Division, is entrusted with stewardship for the acquisition, repair and maintenance of City vehicles and equipment, inclusive of public safety vehicles; and

**WHEREAS**, the City Council previously authorized the execution of a contract for service with Golden State Fire Apparatus, Inc. for maintenance, parts and repair of Oakland Fire Department emergency response vehicles and related equipment through ratification of Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018; and

**WHEREAS**, said City Council authorized contractual provision with Golden State Fire Apparatus, Inc. was for an amount not to exceed \$200,000 for the term of May 1, 2018 through April 30, 2019, with two, one-year options to extend; equating to a cumulative, three-year contractual amount of \$600,000; and

**WHEREAS**, due to the average age of the Oakland Fire Department's large apparatus units being 23 years old, unpredictable extensive and costly repairs have escalated over the past year that are directly related to the fatigue of equipment that has surpassed the recommended useful service life; and

**WHEREAS**, as further detailed within the context of the accompanying report, additional factors which further justify the proposed amendment request are ongoing staffing shortages within OPW and escalating mechanical and physical apparatus damages; and

**WHEREAS**, as a result of the aforementioned provisions, OPW's Equipment Services Division has fully depleted the entire first year contractual financial set-aside through Golden State Fire Apparatus, Inc., with said exhaustion of funds occurring well before the close of the first year contract term; and

**WHEREAS**, in order to ensure the enactment of outstanding mandatory maintenance and repairs needed for public safety vehicles for the current and upcoming two years, an increase in the authorized annual contractual provisions with Golden State Fire Apparatus, Inc. is necessary; and

**WHEREAS**, Oakland Public Works seeks authorization to amend Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018, through enactment of an increase to the annually authorized spending threshold of its current contractual provisions with Golden State Fire Apparatus, Inc. from \$200,000 to \$400,000, with no proposed changes to contractual term limit(s) and without returning to Council; and

**WHEREAS**, with approval of the proposed amendment, the cumulative, three-year financial impact of the subject contract would increase from \$600,000 to \$1,200,000; and

**WHEREAS**, Oakland Municipal Code ("OMC") Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

**WHEREAS**, OMC Section 2.04.051.B and 2.04.050 1.5 permits the Council to waive the RFP/Q and advertising and bidding requirements upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B and 2.04.050 1.5 waives the advertising and bidding requirements and authorize the City Administrator or designee to enter into the proposed amended contract(s) with Golden State Fire Apparatus, Inc.; and

**WHEREAS**, all other terms, conditions and authorizations enacted by the authority of City Council through its previous ratification of Authorizing Resolution No. 87161, C.M.S., shall remain in full force and effect; now, therefore be it

**RESOLVED**, That the City Council hereby authorizes the City Administrator, or designee, to enter into an amended agreement with Golden State Fire Apparatus, Inc. for the increased annual contractual amount of \$400,000 for the period of May 1, 2018 through April 30, 2019 for maintenance, parts and repair of Oakland Fire Department emergency response vehicles and related equipment; and be it

**FURTHER RESOLVED**, That the City Council also authorizes two, one-year options to extend said amended agreement, for a cumulative three-year contract amount not to exceed \$1,200,000; and be it

**FURTHER RESOLVED**, That the City Council, pursuant to OMC Section 2.04.050 I.5, hereby finds that it is in the best interests of the City to waive the RFP/Q, advertising and competitive bidding requirements, without returning to Council, for the execution of the proposed amended contractual agreements with Golden State Fire Apparatus, Inc. to ensure the City's ability to provide the requisite maintenance, repairs and ongoing operational soundness of Oakland's fleet in the midst significant staffing shortages, the age of the City's fleet, as well as the sheer volume of mandatory repairs needed for emergency response vehicles; and be it

**FURTHER RESOLVED**, That all other terms, conditions and authorizations enacted by the authority of City Council through its previous ratification of Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018, shall remain in full force and effect; and be it

**FURTHER RESOLVED**, That all proposed amended contract expenditure allocations shall be expensed to the Equipment Services Fund (4100); Equipment Services Administration Organization (30541); Repair and Maintenance Miscellaneous Account (54619); Administrative Project 1000010, Fleet Management and Maintenance Program IN01; and be it

**FURTHER RESOLVED**, That proposed amended contract expenditure allocations for Fiscal Year 2019-2020 through Fiscal Year 2020-2021 will be contingent upon the availability of funding; and be it

**FURTHER RESOLVED**, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed agreement(s), except for any additional increase(s) in the agreement(s) costs; and be it

**FURTHER RESOLVED**, That the City Attorney shall review and approve the proposed agreement(s) as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California