

  
Celso Ortiz (Sep 23, 2020 09:37 PDT)

City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**Resolution Waiving The Competitive Request For Proposals/Qualifications Selection Requirement and Awarding A Three-Year Professional Services Agreement With Daupler, Inc. For An Amount Of Six Hundred Sixty-Eight Thousand Four Hundred Dollars (\$668,400.00) For The Period Of October 16, 2020 Through October 15, 2023 For Emergency Call Management Services With Two One-Year Options To Extend The Contract For An Amount of Two Hundred Twenty-Two Thousand Eight Hundred Dollars (\$222,800.00) Annually, For A Grand Total Contract Amount Of One Million One Hundred Fourteen Thousand Dollars (\$1,114,000.00), Without Returning To Council.**

**WHEREAS**, the Oakland City Charter Section 2.04.020 authorizes the City Administrator to enter into contracts for supplies, services, or a combination up to two hundred fifty thousand dollars (\$250,000.00) in any single transaction or term agreement; and

**WHEREAS**, in September 2019, the Oakland Public Works – Contract Services released a formal Request for Proposals (“RFP”) for After Hours Emergency Call Management Services; and

**WHEREAS**, Daupler Inc. submitted the only responsive and fully qualified bid to the RFP; and

**WHEREAS**, Oakland Public Works and Oakland Department of Transportation provide a variety of public infrastructure services for which after-hours emergency calls for service are received and must be responded to; and

**WHEREAS**, After hours emergency calls for service received include time-sensitive life-safety, threats to the environment, and loss of basic service issues; and

**WHEREAS**, Oakland Public Works and Oakland Department of Transportation lack a consistent internal mechanism to manage/route after-hours emergency calls for service, confirm call location, verify points of contact, and confirm the safety of the emergency site before a response by City crews for all after-hour emergency calls received, including Sanitary Sewer Overflows (SSO);and

**WHEREAS**, Approval of this agreement is essential to ensure the provision of consistent response capabilities to after-hours emergency calls for service from residents and businesses when no volunteers present for duty; and

**WHEREAS**, Approval of this agreement will provide backup/augmentation support capability for call center services, enable digital dispatch of emergency response crews via a smartphone application, and provide the future capability to accept and respond to after-hours emergencies reported via email or online portal submission; and

**WHEREAS**, Oakland Municipal Code (“OMC”) section 2.04.051 A requires a competitive Request For Proposals/Qualifications (“RFP/Q”) selection process for the purchase of professional services which exceed \$50,000.00; and

**WHEREAS**, OMC Title 2, Chapter 2.0, Article I, Section 2.04.051. B provides an exception to the competitive RFP/Q selection requirement when specifically authorized by the City Council after a finding and determination that it is in the best interest of the City; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator’s report accompanying this Resolution that the professional services contract approved hereunder is temporary in nature; 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 services; now, therefore, be it

**RESOLVED:** That pursuant to OMC 2.04.051 B the City Council finds and determines that it is in the best interest to waive the competitive RFP/Q selection requirement because of the reasons stated above and in the City Administrator’s report accompanying this Resolution, and therefore so waives this requirement; and be it

**FURTHER RESOLVED:** That the City Council adopt a Resolution authorizing the City Administrator or designee to enter into a three (3) year contract with two (2) one year extensions with Daupler, Inc. for After Hours Emergency Call Management Services for Two Hundred Twenty-Two Thousand Eight Hundred Dollars (\$222,800.00) per year for a total contract amount not-to-exceed One Million One Hundred Fourteen Thousand Dollars (\$1,114,000.00), Without Returning To Council; and be it

**FURTHER RESOLVED:** That funding for the agreement is available in the Fiscal Year (FY) 2020-21 Adopted Budget and ongoing annual appropriations in Fund 3100 - Sewer Service Fund, Organizations 30532 - Infrastructure Maint: Storm Drain and 30533 - Infrastructure Maint: Sewer System, Contract Services Accounts (54xxx), Project 1000010 - DP300 Administrative Project, Programs IN13 – Sanitary Sewer Management & Maintenance and IN14 – Storm Drain Management & Maintenance.; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreement, with the exception of those related to an increase in the total dollar amount of the agreement; and be it

**FURTHER RESOLVED:** That the contract shall be approved for form and legality by the City Attorney and copies 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: \_\_\_\_\_  
ASHA REED  
Acting City Clerk and Clerk of the Council  
of the City of Oakland, California






# 3. RESOLUTION Daupler Inc\_After Hours Contract (Final)

Final Audit Report

2020-09-25

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