

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


City Attorney

2012 FEB 29 PM 2:26 **OAKLAND CITY COUNCIL**

RESOLUTION No. 83757 C.M.S.

RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM FOR THE PERIOD OF DECEMBER 30, 2011 TO DECEMBER 29, 2012 IN THE AMOUNT OF SEVEN HUNDRED EIGHTY-NINE THOUSAND THREE HUNDRED SIXTY DOLLARS (\$789,360) WITH MATCHING CITY OF OAKLAND FUNDS IN THE AMOUNT OF ONE HUNDRED NINETY-SEVEN THOUSAND THREE HUNDRED FORTY DOLLARS (\$197,340) FOR THE PURCHASE OF A NEWLY BUILT FIRE TRUCK; 2) APPROVING THE EXPENDITURE OF MATCHING CITY OF OAKLAND FUNDS IN THE AMOUNT OF ONE HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED FORTY DOLLARS (\$197,340); 3) WAIVING THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS; AND 4) AWARDED A CONTRACT TO PIERCE MANUFACTURING INCORPORATED VIA GOLDEN STATE APPARATUS, INCORPORATED IN AN AMOUNT NOT TO EXCEED NINE HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$932,000), FOR THE PURCHASE OF A NEWLY BUILT FIRE TRUCK AND IN COMPLIANCE WITH CITY OF OAKLAND PURCHASING POLICIES AND PROCEDURES.

WHEREAS, the purpose of the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

WHEREAS, the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant Program will award the Oakland Fire Department 80% of the cost of a newly built fire truck, for the grant period of December 30, 2011 to December 29, 2012, in the amount of \$789,360, with City of Oakland matching funds in the amount of \$197,340, and

WHEREAS, the grant funds will be used to replace a 1989 aerial truck, which is beyond repair; and

WHEREAS, grant funds in an amount of \$789,360 will be appropriated to FEMA Fund (2124), Emergency Support Services Organization (20816), Vehicle Replacements (57612), Support Service Program (PS26), and the revenue will be credited to FEMA revenue account (46130); and

WHEREAS, the Fire Department will use the Equipment Services Fund balance, provided by Public Works Agency, in an amount not to exceed \$197,340 for matching funds, and said matching funds will be drawn from the Equipment Services Fund (4100), Unreserved Fund Balance-undesignated (33221); and

WHEREAS, Oakland Municipal Code Section 2.04.050.1.5 authorizes the City Council to dispense with the City's standard advertising and competitive bidding process upon a finding that it is in the best interests of the City to do so; and

WHEREAS, after completing a competitive bidding process, the City of Santa Cruz has recently exercised a contract with a vendor and acquired a newly built fire truck using funds awarded through the 2010-2011 FEMA/AFG program and meeting the same 2011-2012 FEMA/AFG program guidelines and specifications for this type of product; and

WHEREAS, Oakland Fire Department staff had the opportunity to review and test this vendor's product and found that the City of Santa Cruz's purchase meets the requirements of the 2011-2012 FEMA/AFG program and Oakland Fire Department guidelines and specifications for this type of product; and

WHEREAS, there are few vendors who manufacture fire trucks, in light of the Oakland Fire Department's previous extensive research and testing, it is highly unlikely that the City's standard advertising and bidding process, which would involve significant staff time and delay, will render a better product or more competitive pricing; and

WHEREAS, Oakland Fire Department must enter into this contract immediately in order for the fire truck to be constructed, delivered, and in service by the end of 2012 thereby meeting the FEMA/AFG grant requirements, now therefore be it

RESOLVED: that the Oakland City Council hereby authorizes the City Administrator or her designee, to accept and appropriate grant funds from the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program for the period of December 30, 2011 to December 29, 2012 in the amount of seven hundred eighty-nine thousand three hundred sixty dollars (\$789,360) with matching City of Oakland funds in the amount of one hundred ninety-seven thousand three hundred forty dollars (\$197,340) for the purchase of newly built fire truck; and be it

FURTHER RESOLVED: that the Oakland City Council hereby authorizes the City Administrator or her designee, to accept, appropriate, administer, and expend 2011-2012 FEMA/AFG program funds up to \$789,360 from the FEMA Fund (2124), Emergency Support Services Organization (20816), Vehicle Replacements (57612), Support Service Program (PS26), and the revenue will be credited to FEMA revenue account (46130), in connection with the purpose of the grant; and be it

FURTHER RESOLVED: that the Oakland City Council hereby authorizes the City Administrator or her designee, to expend \$197,340 in matching City of Oakland funds drawn from existing resources in its FY2011-12 baseline budget from the Equipment Services Fund

(4100), Unreserved Fund Balance-undesignated (33221) in connection with the purpose of the grant and the purchases of a newly built fire truck; and be it

FURTHER RESOLVED: that the Oakland City Council hereby authorizes the City Administrator or her designee, to conduct all negotiations, applications, agreements, amendments, payment requests and related actions which may be necessary to carry out the purposes of the aforementioned grant and completion of the contract; and be it

FURTHER RESOLVED: that because of the limited time available for completion of grant projects and the required grant performance period and as stated above and in the report accompanying this resolution, pursuant to Oakland Municipal Code section 2.04.050.I.5 the City Council finds that it is in the City's best interests to dispense with the City's standard advertising and competitive bidding process for the purchase of a newly built fire truck authorized herein, and so waives the requirements; and be it

FURTHER RESOLVED: that the Oakland City Council hereby authorizes the City Administrator or her designee to award a contract to Pierce Manufacturing Incorporated via Golden State Apparatus, Incorporated, in an amount not to exceed nine hundred thirty-two thousand dollars (\$932,000) for the purchase of a newly built fire truck; and be it

FURTHER RESOLVED: that all contracts authorized hereunder shall be approved for form and legality by the Office of the City Attorney and shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 20 2012, 20

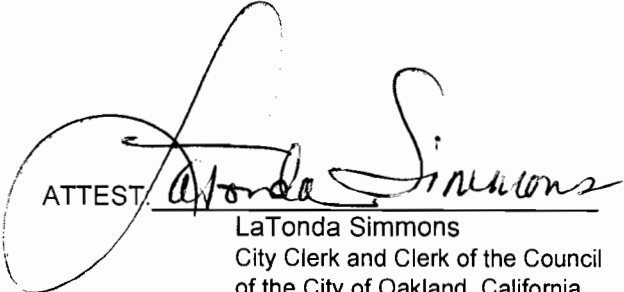
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and ~~PRESIDENT REID~~ - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

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