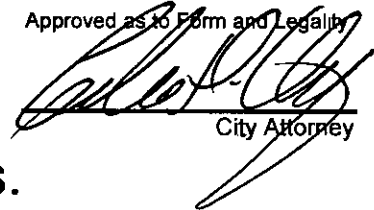


FILED
OFFICE OF THE CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2013 SEP 24 RESOLUTION No. 84645 C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO: 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED EIGHTY-SEVEN THOUSAND DOLLARS (\$87,000.00) FROM THE SURFACE TRANSPORTATION PROGRAM (STP) AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), FOR THE PURCHASE OF THREE (3) ELECTRIC VEHICLES AND CHARGING STATIONS FOR THE DIRECT BENEFIT OF THE CITY OF OAKLAND; 2) AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE COUNTY OF ALAMEDA AND OTHER COLLABORATIVE BAY AREA JURISDICTIONS WHICH COMPRISE THE BAY AREA CLIMATE COLLABORATIVE (BACC) FOR CONTINUED PARTICIPATION IN A FEDERALLY-FUNDED GRANT INITIATIVE DESIGNED TO FACILITATE EACH JURISDICTION'S PURCHASE OF ELECTRIC VEHICLES AND CHARGING STATIONS; 3) ENTER INTO ONE OR MORE PURCHASE AGREEMENT(S) WITH ONE OR MORE SELECT VENDORS IDENTIFIED IN DIRECT RELATIONSHIP TO THE EXECUTION OF THE AFOREMENTIONED MOU AS A MEANS BY WHICH TO PURCHASE SAID VEHICLES, CHARGING EQUIPMENT AND INSTALLATION OF CHARGING EQUIPMENT, AND 4) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/ QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL BUSINESS ENTERPRISE PROGRAM (L/SLBE) PROVISIONS ASSOCIATED WITH THE PROPOSED MOU AND THE PURCHASE AND PLACEMENT OF ELECTRIC VEHICLES, CHARGING STATIONS AND RELATED EQUIPMENT AND SERVICES

WHEREAS, the City's green fleet policy as stated in Resolution No. 77842 C.M.S., dated June 3, 2013, supports the purchase of alternative fuel vehicles and the pursuit of Federal, state and other incentive programs related to clean air and energy efficiency; and

WHEREAS, the City endeavors to increase its role in improving air quality and reducing greenhouse gas emissions by adopting policies and practices that diminish City fleet emissions; and

WHEREAS, in recent years, the City of Oakland, along with eight (8) other neighboring jurisdictions, formed the Bay Area Climate Collaborative (BACC); and

WHEREAS, the City of Oakland, in collaboration with and as part of the BACC consortium, was collectively awarded \$2.81 million in Federal grant funds to purchase and promote the use of electric vehicles by local governments; and

WHEREAS, the subject grant funds stem from the Federally subsidized Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) through the Metropolitan Transportation Commission (MTC); and

WHEREAS, the grant covers the incremental costs between a typical replacement vehicle and the cost of an electric vehicle, as well as the cost of purchasing and installing electric vehicle charging stations; and

WHEREAS, the County of Alameda, in their capacity as the lead implementing agency for the BACC collaborative, proposes that all partnering agencies execute a Memorandum of Understanding designed to facilitate the procurement process(es) for all subject electric vehicles, charging stations, and related equipment and services; and

WHEREAS, the County of Alameda will assume primary oversight relative to the development and issuance of a RFP/Q and the primary selection of qualified vendor(s) in keeping with the County of Alameda's standard contracting and purchasing protocols; and

WHEREAS, Oakland Municipal Code (CMC) section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or combination thereof required by the City which exceeds \$50,000.00; and

WHEREAS, CMC section 2.04.050 1. 5 permits the Council to waive these requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, CMC section 2.04.051.A requires staff to conduct a competitive RFP/Q selection process for the procurement of professional services; and

WHEREAS, CMC section 2.04.051.B authorizes the City Council to waive the RFP/Q requirement upon a finding that it is in the best interests of the City to do so; and

WHEREAS, Alameda County's pending identification of one or more vendors to fulfill the purchasing requirements of the electric vehicles, charging equipment and installation of the charging equipment, said vendor(s) may not meet the City of Oakland's twenty-percent (20%) L/SLBE minimum participation requirement for professional service contracts of \$50,000 or more; now, therefore be it

RESOLVED, that the City Council authorizes the City Administrator, or her designee, to accept and appropriate grant funds in an amount not to exceed eighty-seven thousand dollars (\$87,000.00) for the purchase of three (3) electric vehicles and charging stations for the direct benefit of the City of Oakland; and be it

FURTHER RESOLVED, that said grant funds will be deposited into the City of Oakland's Internal Services Equipment Fund (4100), Public Works Agency Equipment Services Division Organization (30541), in a project account to be determined; and be it

FURTHER RESOLVED, that grantor-mandated matching fund provisions will be garnered from the City of Oakland's Internal Services Equipment Fund (4100); and be it

FURTHER RESOLVED, that the City Council authorizes the City Administrator, or her designee, to execute an MOU with the County of Alameda and other collaborative Bay Area jurisdictions which serve as the BACC for continued participation in a Federally-funded grant initiative designed to facilitate each respective jurisdiction's purchase of electric vehicles and charging stations; and be it

FURTHER RESOLVED, that the City Council authorizes the City Administrator, or her designee, to enter into one or more purchase agreement(s) with one or more select vendors identified in direct relationship to the execution of the aforementioned MOU as a means by which to purchase said vehicles, charging equipment, and installation of charging equipment; and be it

FURTHER RESOLVED, that the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.1.5 and 2.04.051.B, for the reasons stated above and in the report accompanying this resolution, that it is in the best interests of the City to waive the advertising, competitive bidding, and competitive RFP/Q process for products and services to be purchased under the proposed agreement and that the City Council thereby authorizes the waiver of said requirements; and be it

FURTHER RESOLVED, that the City Council hereby waives the L/SLBE provisions associated with the proposed MOU and the purchase and placement of electric vehicles, charging stations and related equipment and services; and be it

FURTHER RESOLVED, that the City Administrator, or her designee, is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the grant award, except for any increase in the contract cost; and be it

FURTHER RESOLVED, that the City Attorney shall review and approved the proposed MOU and any and all other vendor service agreements as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

OCT - 1 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

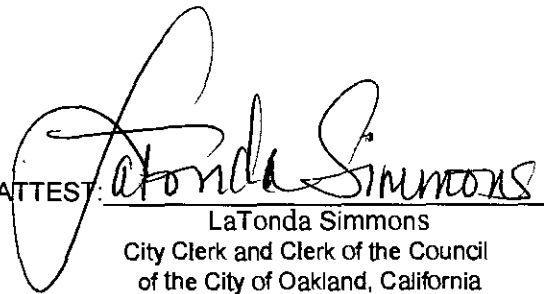
AYES - BROOKS, GALLO, KALB, KAPLAN, McELHANEY, ~~McELHANEY~~, SCHAAF and PRESIDENT KERNIGHAN -7

NOES -

ABSENT -

ABSTENTION -

Excused - Reid - 1

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