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OFFICE OF THE CITY CLERK
OAKLAND

2013 JUL 11 PM 4:03

OAKLAND CITY COUNCIL

RESOLUTION No. 84576 C.M.S.

Approved as to Form and Legality


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN ASSOCIATES FOR ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000; AND, 2) WAIVE THE COMPETITIVE BIDDING, ADVERTISING, AND THE REQUEST FOR PROPOSAL PROCESS AND DELEGATE AUTHORITY TO THE CITY ADMINISTRATOR TO AWARD CONTRACT RELATED TO ENGINEERING SERVICES.

WHEREAS, the Broadband infrastructure is a crucial requirement for public safety services delivery, innovative hubs creation, job growth, educational enhancements, and improving the quality of life; and

WHEREAS, the fiber optics is the only medium to offer Broadband infrastructure to support media rich applications, new social media platforms, emerging technologies, high speed connectivity, and next generation 911 services;

WHEREAS, Next Generation 911 systems, in particular, requires robust, high speed connectivity to support the growing range of Internet-based emergency services offered to the public; and

WHEREAS, OMC 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. However, OMC Section 2.04.050 I.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, OMC section 2.04.51 A requires the City to conduct a request for proposal or request for Qualifications, competitive selection process ("RFP/RFQ") prior to the purchase of professional services unless this requirement is waived under OMC Section 2.04.51 B upon a finding by the City Council or its designee that it is in the best interest of the City to do so; and

WHEREAS, the Department of Information Technology (DIT) has determined that Kimley-Horn Associates has demonstrated the necessary professional expertise, qualifications and capabilities to perform the requested services; and

WHEREAS, the City currently pay thousands of dollars a month in recurring costs to provide connectivity to the 911 center, Municipal services and other City owned properties; and

WHEREAS, rapid implementation of this network can provide the city with significant cost savings by leveraging the connectivity that a fiber optic infrastructure will provide; and

WHEREAS, the ability to waive bidding and advertising requirements will allow the City to be flexible and enter into agreements quickly with business entities in a streamlined fashion that will promote economic development; and

WHEREAS, Kimley-Horn Associates is currently working with Transportation Division in Public Works Agency, developing the Master Intelligent Transportation System (ITS) Plan, including the Fiber Optics needs; and

WHEREAS, Kimley-Horn Associates is recently hired through a competitive bid process by the Port of Oakland to develop a Security Fiber Optic Network Expansion and Redundancy Project Design; and

WHEREAS, Kimley-Horn Associates is actively involved in deploying the City and Port Joint Domain Awareness Center system for Situation Awareness; and

WHEREAS, some of the proposed fiber infrastructure deployments would make it possible for the City to provide far faster connections at a lower cost to the 911 Center, the Police Administration Building, the Emergency Operations Center, and the joint Domain Awareness Center being developed with the Port of Oakland, and other critical locations;

WHEREAS, expanded City access to fiber optic networks in the Downtown area and, possibly, the Eastmont Police Station, would further increase the performance and survivability of internal networks and support improvements in the vital services that depend on them; now, therefore be it

RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to negotiate and execute an engineering services agreement with Kimley-Horn Associates for development of a comprehensive Master Fiber Optic plan; and be it

RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to negotiate and award contract to Kimley-Horn Associates for engineering services in an amount not to exceed \$50,000; and be it

FURTHER RESOLVED: That pursuant to OMC sections 2.04.050.I. and 2.04.051.B , the City Council hereby finds and determines that it is in the best interest of the City to waive the competitive request for proposal/qualifications process for engineering services to develop a Citywide Fiber Optic Communications Master Plan based on the reasons set forth above in this resolution; and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED, that funds to complete this project will be drawn from 1010-46231-54919.0000000.IP62; and be it.

FURTHER RESOLVED, that the contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

FURTHER RESOLVED, that the City Attorney shall review and approve any such agreements

FURTHER RESOLVED, that any agreements reached would be non-exclusive, compliant with city policies and subject to approval by the city council.

JUL 30 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

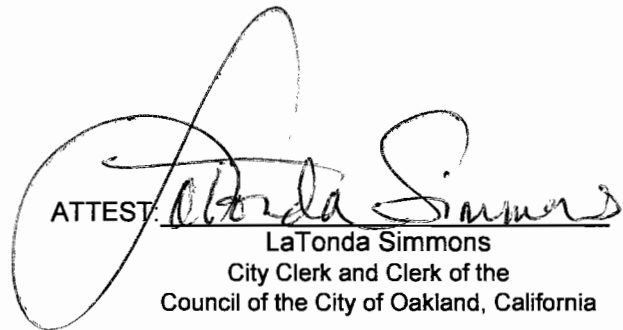
GIBSON-McELHANEY, REID, KALB, GALLO, ~~BRUNO~~, KAPLAN, SCHAAF, and PRESIDENT KERNIGHAN - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks-1

ATTEST: 

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