


Celso Ortiz (October 1, 2024 1:43:39 PDT)

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**RESOLUTION AWARDING A PURCHASING CONTRACT TO NIXON-
EGLI EQUIPMENT COMPANY IN AN AMOUNT NOT TO EXCEED SIX
HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (\$675,000.00)
FOR THE PURCHASE OF 1 (ONE) VOGELE SUPER 2000-3I ASPHALT
PAVER IN ACCORDANCE WITH COOPERATIVE AGREEMENT
SOURCEWELL CONTRACT NO. 101221-VAC PURSUANT TO
OAKLAND MUNICIPAL CODE SECTION 2.04.080**

WHEREAS, the Oakland Department of Transportation performs pavement construction on City streets, requiring the purchase of an asphalt paver; and

WHEREAS, the Fiscal Year (FY) 2023-25 Adopted Budget appropriated and allocated for the replacement of equipment (asphalt paver) that is beyond its economic service life; and

WHEREAS, procuring such equipment is essential to meet the in-house mileage goals of the 5-Year Paving Plan (5YP) (Resolution No. 88975 C.M.S.); and

WHEREAS, the new asphalt paver would support operations resiliency and is essential to continue in-house paving while equipment is being serviced; and

WHEREAS, Oakland Municipal Code (OMC) § 2.04.080 provides that “Where advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process (i.e. advertised and bid for products and nonprofessional services; advertised and awarded through an RFP/Q process for professional services) without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

WHEREAS, the use of cooperative agreements allows the City to ensure services uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and the waiver of the request for proposal/qualification (RFP/Q) requirement significantly shortens the contract cycle process because the competitive solicitation process has been completed by another governmental jurisdiction or public agency saving staff time and resources; and

WHEREAS, Sourcewell, a cooperative purchasing program, awarded Wirtgen America, Inc. as the manufacturer of Asphalt Paving Equipment and deemed the Nixon-Egli Equipment Company the most qualified vendor; and

WHEREAS, staff seeks City Council approval pursuant to OMC § 2.04.030 of this cooperative agreement exceeding \$250,000 in value; and

WHEREAS, Oakland Department of Transportation, Great Street Maintenance Division Division is operating with one functioning asphalt paver that has exceeded its life cycle; and

WHEREAS, the addition of an asphalt paver is essential to ensure uninterrupted City's services; and

WHEREAS, staff seeks City Council approval pursuant to OMC § 2.04.030 to award a contract to Nixon-Egli Equipment Company; and

WHEREAS, the funds for this contract are budgeted and available in the FY 2023-2025 Budget, Project 1003469, Org 35221, Account 57611, Funds 2218 (Measure BB), 2230 (State Gas Tax), and 2232 (State Gas Tax); and

WHEREAS, a purchase contract is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; now, therefore, be it

RESOLVED: That the Council hereby finds and determines that this Nixon-Egli Equipment Company purchase contract is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; and be it

FURTHER RESOLVED: That the Council pursuant to Oakland Municipal Code Section 2.04.80 hereby awards a contract to Nixon-Egli Equipment Company for \$675,000.00 to purchase the Voegle Super 2000-3i Asphalt Paver; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality and shall be placed on file in the office of the City Clerk; and be it

FURTHER RESOLVED: That the City Administrator is authorized on behalf of the City to execute and submit all documents, payment requests, and related actions consistent with the authorizations set forth in this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID AND
PRESIDENT FORTUNATO BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council
of the City of Oakland, California