

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

REVISED

RESOLUTION NO. 76267 C. M. S.

INTRODUCED BY COUNCILMEMBER _____



A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SUN MICROSYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$1,919,323; TO ALLOCATE FUNDS FOR CONTRACTS WITH THIRD PARTY VENDORS IN AN AMOUNT NOT TO EXCEED \$575,618; AND TO ALLOCATE A CONTINGENCY AMOUNT OF \$291,720, FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$2,786,661.

WHEREAS, the City must replace the Server currently supporting the Oracle application because the current server capacity is inadequate; and

WHEREAS, the Oracle applications must be migrated to the new platform; and

WHEREAS, Sun Microsystems, Inc. is the only vendor capable of meeting the technical requirements; and

WHEREAS, the City lacks the equipment, technical expertise and personnel to perform the necessary computer functions and services; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds and determines that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and,

WHEREAS, the calling for bids would serve no useful purpose because of this vendors unique technical ability to meet the requirements; and

WHEREAS, pursuant to Oakland Municipal Code section 2.040.050, I(2) the City Council may waive formal bidding requirements when calling for competitive bids would be unavailing, and pursuant to Oakland Municipal Code section 2.040.050, I(5) the City Council may waive formal bidding requirements when it is in the best interests of the City; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code, Title 2, Sections 2.04.050, I(2) and (5), the City Council finds and determines that it the calling for competitive bids would be unavailing and that it is in the best interests of the City to waive the formal bid requirement and authorize the City Manager or his designee to negotiate an agreement with SUN Microsystems

for the purchase and implementation of a SUN Microsystems Server and for software migration services in an amount not to exceed one million nine hundred nineteen thousand three hundred twenty three dollars and no cents (\$1,919,323.00); and, be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code, Title 2, Sections 2.04.050, I(2) and (5), the City Council finds and determines that it is in the best interests of the City to waive the formal bid requirements and authorize the City Manager to negotiate with third party vendors to deliver additional and necessary equipment and services in a total amount not to exceed five hundred seventy five thousand six hundred eighteen dollars and no cents (\$575,618.00); and, be it

FURTHER RESOLVED: That the City Manager or his designee shall return to the City Council for award of the Sun Microsystems and third-party contracts; and, be it

FURTHER RESOLVED: That the City Manager is authorized to allocate funds in the amount of five hundred seventy five thousand six hundred eighteen dollars and no cents (\$575,618.00) for the additional equipment and services from third-party vendors, and to allocate a contingency amount of two hundred ninety one thousand seven hundred twenty dollars and no cents (\$291,720.00), for a total project amount not to exceed two million seven hundred eighty six thousand six hundred sixty one dollars and no cents (\$2,786,661.00).

IN COUNCIL, OAKLAND, CALIFORNIA, FEB - 6 2001, 2001

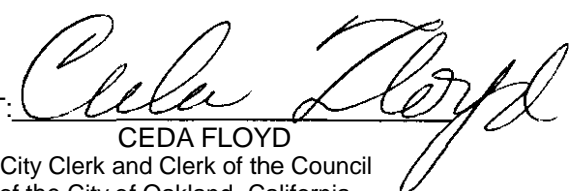
PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNNER, CHANG, MILEY, NADEL, REID, WAN, SPEES AND PRESIDENT DE LA FUENTE~~ - 5

NOES- Brunner/Reid - 2

ABSENT- None

ABSTENTION- None

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California