

2010 APR -1 PM 1:15

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82686 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:
1) ACCEPT A GRANT FROM FEDERAL EMERGENCY
MANAGEMENT AGENCY AND THE DEPARTMENT OF
HOMELAND SECURITY IN THE AMOUNT OF THREE HUNDRED
THOUSAND DOLLARS (\$300,000) AND 2) AWARD A CONTRACT
TO THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER FOR
EQUIPMENT, INSTALLATION AND TRAINING TO IMPLEMENT A
LIVE BURN SIMULATOR TRAINING UNIT IN AN AMOUNT UP TO
\$375,000, WITHOUT RETURN TO COUNCIL**

WHEREAS, Resolution No. 80831 C.M.S authorized the City Administrator to apply for grant funds to upgrade and enhance the Oakland Fire Department Training Division and programs; and

WHEREAS, Oakland Fire Department staff submitted a competitive grant application and was awarded a grant for the purchase of a live burn simulator to improve its structure fire training program under the Department of Homeland Security 2009 Assistance to Firefighters Grant Program in the amount of \$30,000; and

WHEREAS, the Department of Homeland Security Assistance to Firefighters Grant Program will award 80% of the cost of the live burn simulator driving simulator (\$300,000), which will be appropriated to Fund 2124 Federal Emergency Agency, Organization 20611 Education and Training, Project TBD Assistance to Firefighters Grant, Program PS27 Fire Department Safety, Education and Training and the 20% matching requirement in the amount of \$75,000 will be funded by the Fiscal Years 2009-2011 adopted budget for the Oakland Fire Department; and

WHEREAS, Oakland Fire Department staff will work with Contract Administration and Purchasing to advertise and conduct a competitive bid process and select the lowest responsible, responsive bidder for the purchase of equipment, installation and training for a Live Burn Simulator Training Unit in an amount up to \$375,000; and

WHEREAS, Oakland Municipal Code Section 2.04.030.A.1 requires the Council to approve and award contracts for equipment and services over \$100,000 and this resolution seeks Council authorization for the City Administrator to award the contract for purchase of equipment, installation and training for the Live Burn Simulator Unit in order to expedite the project by eliminating the requirement to return to Council for award of the contract; and

WHEREAS, the City Administrator has determined that the contract for purchase to be authorized hereunder is of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to accept a grant from Federal Emergency Management Agency and the Department of Homeland Security in the amount of \$300,000; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to award the contract for purchase of equipment, installation and training for the Live Burn Simulator Unit to the lowest responsible, responsive bidder in an amount up to \$375,000, without return to Council, provided the winning bidder is selected in accord with City of Oakland advertising and bidding requirements of the Oakland Municipal Code; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, as agent of the City, or his designee, to complete all required negotiations, certifications, assurances, and documentation required to purchase and implement a live burn simulator, including equipment training and supplies for the Oakland Fire Department Training Division; and be it

FURTHER RESOLVED: That said agreements shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 20 2010

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER - 7

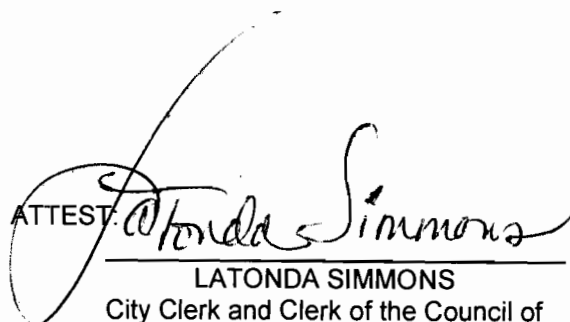
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST



LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California