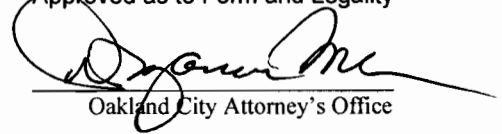


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 JAN 28 PM 6:56

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION No. 82528 C.M.S.

RESOLUTION: 1) AWARDING A CONTRACT TO HARRIS (FORMERLY M/A-COM) OR ITS AUTHORIZED WEST COAST DISTRIBUTOR, DAILEY WELLS, INC., FOR SUPPLY OF RADIO PARTS AND MATERIALS FOR THE CITY'S 800 MHZ RADIO EQUIPMENT IN AN AMOUNT NOT-TO-EXCEED ONE MILLION DOLLARS (\$1,000,000) PER YEAR FOR THREE (3) YEARS, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF THREE MILLION DOLLARS (\$3,000,000) OVER THE TERM OF THE CONTRACT, AND 2) WAIVING ADVERTISING AND BIDDING FOR SAID GOODS

WHEREAS, the Department of Information Technology is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 79709 C.M.S. authorizing the City Administrator to execute a purchase order with Harris (formerly M/A-COM) for radio parts and materials for an amount not to exceed five hundred thousand dollars (\$500,000) per year for three (3) years without return to council; and

WHEREAS, Dailey Wells, Inc., an Oakland "local certified" business and Harris' sole West Coast distributor, satisfactorily delivered and installed equipment and performed other services required to implement the City's existing 800 MHz radio infrastructure and can meet the needs of the City for the system upgrade; and

WHEREAS, the City's radio system will need repairs and modifications in order to meet the current needs of our public safety units; and

WHEREAS, Dailey Wells, Inc. can often provide radios and replacement parts quicker and at the same price as the manufacturer, Harris; and

WHEREAS, Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B permit the Council to waive advertising and bidding upon a finding that it is in the City's best interests to do so; and

WHEREAS, City's existing 800 MHz Radio Network system was manufactured by Harris (Formerly M/A-Com), Harris is, therefore, the sole manufacturer of the parts and materials required for the radio system and Dailey Wells, Inc. is the only authorized distributor, installer and servicer of Harris parts and equipment on the West Coast; and

WHEREAS, Dailey Wells, Inc. has been implementing and supporting the Oakland Radio Upgrade project and possesses deep technical knowledge of the Oakland network and has successfully upgraded one of the radio sites, GWIN, to the interoperable P-25 network; and

WHEREAS, the primary funding source is the Radio Fund (Fund 4200 Account 52515) and user contracts; and

WHEREAS, the City finds that this contract 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 pursuant to Oakland Municipal Code section 2.04.050.I.5, and for the reasons stated above and in the City Administrator’s report accompanying this resolution, the City Council finds that it is in the best interests of the City to waive the City’s advertising and bidding requirements for the purchase of radio parts and materials for the City’s 800 MHz Radio Network equipment and so waives the requirements; and be it

FURTHER RESOLVED: That a contract is awarded to Harris (Formerly M/A-Com) or its authorized West Coast distributor, Dailey Wells, Inc., for the supply of radio parts and materials for the City’s 800 MHz Radio Network equipment in an amount not-to-exceed one million dollars (\$1,00,000.00) per year for three (3) years, for a total amount not-to-exceed three million (\$3,000,000) over the term of the contract; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney’s Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 16 2010, 20

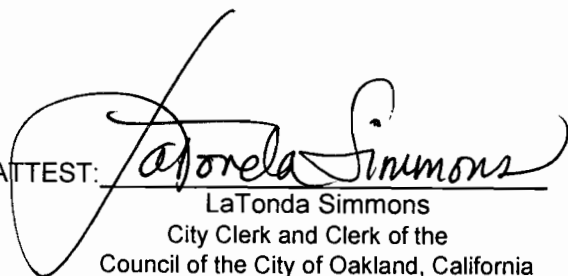
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, ~~NADAI~~, QUAN, REID, and PRESIDENT BRUNNER ~ 7

NOES- Nadai - 1

ABSENT- 0

ABSTENTION- 0

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