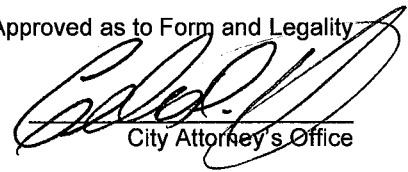


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 MAR 11 PM 4:43

Approved as to Form and Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO:**

- 1) **NEGOTIATE AND ENTER INTO AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED THREE MILLION EIGHT-HUNDRED THOUSAND DOLLARS (\$3,800,000) FOR THE PURCHASE OF NINE HUNDRED (900) MOBILE RADIOS AND ASSOCIATED EQUIPMENT, PROGRAMMING, TESTING, INSTALLATION AND PROFESSIONAL SERVICES IN SUPPORT OF THE MOBILE RADIOS REPLACEMENT PROJECT;**
- 2) **REALLOCATE FUNDS IN THE AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) THROUGH PREVIOUSLY ALLOCATED FUNDS AS APPROVED BY COUNCIL ON RESOLUTION NO. 85113 C.M.S. JULY 15, 2014 TO PAY FOR THE RADIO FLEET REPLACEMENT;**
- 3) **REALLOCATE FUNDS IN THE AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) THROUGH 2008 BOND FUND;**
- 4) **APPROPRIATE AND ALLOCATE IN THE AMOUNT NOT TO EXCEED EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) THROUGH RADIO FUNDS TO PAY FOR THE RADIO FLEET REPLACEMENT; AND**
- 5) **WAIVE THE CITY'S ADVERTISING, COMPETITIVE BID AND REQUEST FOR PROPOSAL (RFP) PROCESS FOR EQUIPMENT, PRODUCTS AND PROFESSIONAL SERVICES FOR THE ABOVE DESCRIBED CONTRACT**

**WHEREAS,** At the July 15, 2014 meeting, the City Council adopted Resolution No. 85113 C.M.S authorizing the City Administrator to enter into an agreement with the East Bay Regional Communications System Authority within three months and to migrate all the 2,900 Oakland Users to the EBRCS network within 24 months; and

**WHEREAS,** On Jan 21, 2014 Council directed the staff to enter into negotiations with East Bay Regional Communication System Authority (EBRCSA) and return to Council in 90-120 days with proposed negotiations terms and a funding and transition plan for the City Council to consider; and

**WHEREAS**, the City was recently notified that the EBRCs their radio network will be upgraded to a version that will no longer certify the function of the City's current fleet of mobile radios uses by the Oakland Police Department, Oakland Fire Department and Oakland Public Work; and

**WHEREAS**, the manufacturer of the City's current mobile radio fleet stopped selling the model used by the City almost four years ago and will stop servicing or supporting the radio on June 15, 2016; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.051.A requires staff to conduct a competitive Request for Proposal/Qualification (RFP/Q) selection process for the procurement of professional services; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or a combination thereof that exceeds \$50,000.00, and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050.I.5 permits the Council to waive formal advertising and competitive bidding upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.051.B permits the Council to waive the competitive RFP/Q competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

**WHEREAS**, the City Council 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 the City Council hereby authorizes the City Administrator or her designee to negotiate and enter into an agreement with Motorola Solutions, Inc. in an amount not to exceed three million eight-hundred thousand dollars (\$3,800,000) for the purchase of mobile radios and associated equipment, programming, testing, installation and professional services in support of the mobile radios replacement project, and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the reallocation of existing appropriation in the amount not to exceed two million dollars (\$2,000,000) of previously allocated funds within the radio fund (4200.94461.57511.C480350.IP62), and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the reallocation of existing appropriation in an amount not to exceed one million dollars (\$1,000,000) from 2008 Surety Bonds Fund (5510.94461.57511.C468112.IP62), and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the appropriation and allocation in an amount not to exceed eight hundred thousand dollars (\$800,000) from the Radio Fund undesignated fund balance (4200.46241.57511.0000000.IP62) to pay for the radio fleet replacement, and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes waiving the City's advertising, bid and request for proposal (RFP) requirements for the above purchases; and be it

**FURTHER RESOLVED:** That pursuant to OMC Section 2.04.050.I.5 and Section 2.04.051.B, the Council hereby finds and determines that it is in the best interests of the City to waive formal advertising, competitive bidding and the competitive RFP/Q competitive selection requirements for the above purchase expenditures because of the urgent and time-sensitive nature of the project and its critical role in ensuring public safety in the City; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute any amendments or modifications to said agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That the agreements shall be reviewed and approved by the City Attorney and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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