

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 82529 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 JAN 13 PM 6:11

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) NEGOTIATE AND ENTER INTO A CONTRACT WITH HARRIS STRATEX , INC. IN AN AMOUNT NOT-TO-EXCEED ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000) TO UPGRADE, EXPAND, AND INTEGRATE THE PHASE I OF PUBLIC SAFETY MICROWAVE BACKBONE SYSTEM, AND
- 2) NEGOTIATE AND ENTER INTO A CONTRACT WITH HARRIS STRATEX , INC. IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED FIFTY TWO THOUSAND DOLLARS (\$152,000) FOR MAINTENANCE OVER A TWO -YEAR PERIOD; AND
- 3) WAIVE THE CITY'S ADVERTISING, COMPETITIVE BID AND REQUEST FOR PROPOSAL (RFP) PROCESS FOR EQUIPMENT, PRODUCTS AND PROFESSIONAL AND TECHNICAL SERVICES TO BE PURCHASED FROM HARRIS STRATEX, INC.; AND
- 4) ENTER INTO MULTIPLE, ADDITIONAL COMPETITIVELY BID CONTRACT(S) TO PURCHASE NETWORKING AND SECURITY EQUIPMENT FOR A TOTAL EXPENDITURE NOT-TO-EXCEED ONE HUNDRED SEVEN THOUSAND EIGHT HUNDRED THIRTY SEVEN DOLLARS (\$107,837), FOR ALL SUCH CONTRACTS, WITHOUT RETURN TO COUNCIL

WHEREAS, on October 16, 2007, the City Council approved Resolution No. 80894 C.M.S., authorizing the acceptance and appropriation of grant funds in the amount of \$988,966 from the U.S. Department of Justice, Office of Community Oriented Police Services, FY 2007 Law Enforcement Technology (Interoperable Communications) grant program, to the Oakland Police Department in support of the Interoperability; and

WHEREAS, the Department of Information Technology (DIT) and Oakland Police Department (OPD) seek to use the COPS Interoperability Communication grant, to design, install and upgrade the Microwave Backbone for Public Safety infrastructure; and

WHEREAS, the Microwave Backbone project shall assist in deploying the P25 radio upgrade for voice interoperability in the Bay Area region and Broadband Wireless Data for improved response time through more efficient and timely resource allocation, as well as overall public safety management during times of emergency; and

WHEREAS, Oakland Municipal Code Sections 2.04.051.A and 2.04.040.B require advertising and competitive solicitation processes to be determined by the City Administrator for the purchase of professional services; and

requests for proposal/qualification processes upon finding that it is in the best interests of the City to do so; and

WHEREAS, Oakland Municipal Code Section 2.04.050 requires advertising and competitive bids with award to the lowest bidder for the purchase of equipment and products; and

WHEREAS, Oakland Municipal Code Section 2.04.050.I authorizes the City Council to waive such advertising and bidding requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, staff researched and contacted other public safety organizations in the Bay Area that have selected Harris Stratex, Inc. through competitive bidding processes and currently use their Microwave Radio equipment and services; and

WHEREAS, Harris Stratex, Inc. is the only vendor proven to have time tested technology that is compatible with the current Microwave equipment and is the only vendor that can maintain its system; and

WHEREAS, the project includes connecting the critical infrastructure Radio Sites (i.e., Gwin, Seneca, APL, Police Communications Center, Police Admin Building, Police Sub-Station at Eastmont, 150 Frank H. Ogawa Plaza, Emergency Operations Center, and Fire Stations); and

WHEREAS, the Microwave equipment deployment will utilize the existing proven technologies, compatible interfaces and best practices in the current City IT infrastructure to minimize additional integration costs; and

WHEREAS, for the reasons stated above and in the City Administrator's agenda report accompanying this item, the City Administrator recommends that the Council waive advertising, the competitive request for proposal/qualifications process and competitive bidding for the purchase of a Microwave Backbone system; and

WHEREAS, the City Administrator has determined that services provided pursuant to said agreement with Harris Stratex, Inc. are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Administrator has determined that said agreement shall not result in a 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 sections 2.04.050.I.5 and 2.04.051.B, and based on the reasons set forth in the City Administrator's agenda report accompanying this resolution, the City Council hereby finds and determines that it is in the best interests of the City to waive advertising, competitive bidding and request for proposal/qualifications process for the purchase of professional and technical services for the implementation of a Public Safety Microwave Backbone System and so waives said requirements; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to negotiate

and enter into an agreement with Harris Stratex, Inc. in an amount not to exceed \$1,400,000 for the purchase of equipment, products and professional and technical services necessary for the implementation of a Public Safety Microwave Backbone System; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or his designee, to enter into a maintenance agreement with Harris Stratex, Inc. in an amount not-to-exceed \$152,000 for provision of system maintenance over a two-year period to commence at the completion of the warranty period; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or his designee, to select a vendor or vendors, following a competitive process, and enter into an agreement or agreements with other vendors for a total expenditure not-to-exceed \$107,837 for the purchase of network and security equipment; and be it

FURTHER RESOLVED: That grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of \$988,966 shall be drawn from the Federal Grant Fund (2112), Bureau of Services Division Org. (106410), Information Technology Division Program (PS01), in a Project Account to be established; and be it

FURTHER RESOLVED: The funding agency requires a (minimum) twenty-five percent (25%) matching funds component which must be made from local, state, or other non-DOJ/COPS funds, and said funds in the amount of \$332,988 shall be drawn from the Unclaimed Cash Fund (7440); Property and Evidence Division Org. (102120); Project to be determined; Miscellaneous Contract Service Account (54919), Criminal Investigations Division Program (PS03); and be it

FURTHER RESOLVED: Additional funds in the amount of \$200,000 shall be drawn from JPFA Capital Projects Fund (5200), Communication and information Services Organization (94461), Contract Contingencies Account (54011), Project (P70600), Technology Management Program (IP62), and funds in the amount of \$137,883 shall be drawn from U.S. Department of Homeland Security Fund (2123), Emergency Services Program Organization (20711), Computer Equipment Account (57711), Project (G385910), and Program (PS21); and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B and based on the reasons set forth in the City Administrator's agenda report accompanying this resolution, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive request for proposal/qualifications process for the purchase of goods and services from Harris Stratex, Inc. relative to the delivery of services associated with the FY 2007 COPS Interoperability Communications grant program; and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to

complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the grant awards, and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreements as to form and legality and copies of said agreements shall be filed with the Office of the City Clerk.

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

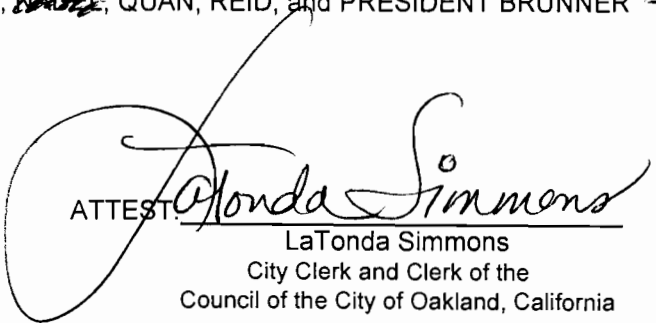
PASSED BY THE FOLLOWING VOTE:

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

NOES- Nadel - 1

ABSENT- 0

ABSTENTION- 0

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