

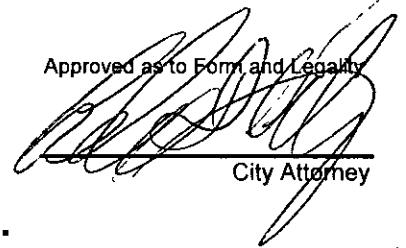
FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2013 NOV 21 AM 9:21

RESOLUTION No. 84742 C.M.S.

Approved as to Form and Legality



City Attorney

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION WAIVING FORMAL ADVERTISING AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) AND AUTHORIZING THE CITY ADMINISTRATOR TO 1) CONTINUE TO EXTEND THE EXISTING CONTRACT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT-TO-EXCEED SIX MONTHS FROM JANUARY 1, 2014 THROUGH JUNE 30, 2014, AT A COMPENSATION RATE OF UP TO \$15,900 A MONTH (INCLUDING A \$900 PER MONTH MANAGEMENT FEE AND UP TO \$15,000 IN GARAGE OPERATING EXPENSES) FOR A TOTAL NOT-TO-EXCEED CONTRACT AMOUNT OF \$95,400 AND 2) NEGOTIATE A NEW CONTRACT FOR AN INITIAL PERIOD OF THREE YEARS, WITH A TWO-YEAR EXTENSION, CONTINGENT UPON SATISFACTORY EVALUATION OF PERFORMANCE, WITH MONTCLAIR VILLAGE ASSOCIATION FOR THE OPERATION AND MANAGEMENT OF MONTCLAIR GARAGE LOCATED AT 6235 LA SALLE AVENUE AND SCOUT LOT LOCATED ON 2250 MOUNTAIN BOULEVARD**

**WHEREAS**, the Montclair Village Association is a merchant-based Business Improvement District made up of approximately 230 retail and service businesses located in Oakland's Montclair District City; and

**WHEREAS**, the Montclair Village Association predecessor organizations, the Montclair Garage Commission and the Montclair Business Association, were instrumental in getting the garage built in 1976, and expanded in 1988; and

**WHEREAS**, the Montclair Village Association has satisfactorily managed the Montclair Garage and Scout Lot, both in the Montclair neighborhood and City-owned parking facilities, since 1990; and

**WHEREAS**, the City desires to maintain parking operation and facility management services for the parking facilities currently managed by the Montclair Village Association; and

**WHEREAS**, the City finds that the service is professional in nature; and

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

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.040.B.4 requires formal advertising and solicitation of proposals/qualifications for professional service contracts involving expenditures of more than \$25,000.00; and

**WHEREAS, OMC Section 2.04.051.B** allows for the waiver by the Council of these requirements upon a finding that it is in the best interests of the City to do so; and

**WHEREAS,** funds for the agreement are available in the adopted FY 2013-2014 budget in the Parking Revenue Fund (1750); Parking Citation Assistance Center (08931); now, therefore, be it

**RESOLVED,** That the Council hereby finds that it is in the best interests of the City to waive formal advertising and competitive selection requirement of the OMC to extend the current parking management contract with the Montclair Village Association, because it would be most efficient and cost effective to maintain continuity of the current and ongoing parking facility management services; and be it

**FURTHER RESOLVED,** That the Council hereby finds that, given its historic role in partnering with the City and businesses in the Montclair District in developing necessary parking for customers, visitors and businesses, it is in the best interests of the City to waive the formal advertising and competitive selection requirement of the OMC, and to enter into a new contract with Montclair Village Association for parking management for an initial period of three years, with an extension of two years, contingent upon satisfactory evaluation of performance; and be it

**FURTHER RESOLVED,** that the City Administrator is hereby authorized to extend the current contract with Montclair Village Association for the operation and management of Montclair Garage and Scout Lot for a period not-to-exceed six months from January 1, 2014 through June 30, 2014; and be it

**FURTHER RESOLVED,** that Montclair Village Association be compensated for said parking management services at a compensation rate of up to \$15,900 a month (including a \$900 per month management fee and up to \$15,000 in garage operating expenses) for a total not-to-exceed contract amount of \$95,400; and be it

**FURTHER RESOLVED,** that the City Administrator is hereby directed to continue negotiations on a new contract with Montclair Village Association for said parking management services and that staff will return to Council upon conclusion of negotiations for approval of said new contract; and be it

**FURTHER RESOLVED,** that the agreement authorized hereunder is subject to City Attorney approval for form and legality and shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 10 2013

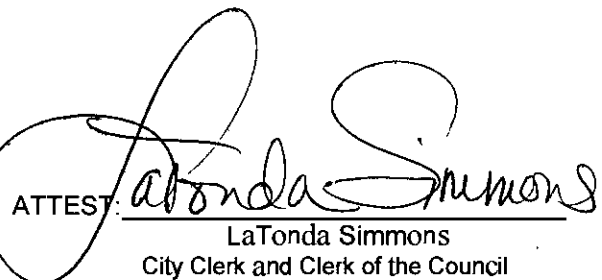
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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