
  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 NOV 28 PM 12:13

# OAKLAND CITY COUNCIL

RESOLUTION No. 84144 C.M.S.

**RESOLUTION WAIVING FORMAL ADVERTISING AND REQUEST FOR PROPOSALS/REQUEST FOR QUALIFICATIONS (“RFP/RFQ”) AND AUTHORIZING THE CITY ADMINISTRATOR TO 1) EXTEND THE EXISTING CONTRACT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT-TO-EXCEED TWELVE MONTHS FROM DECEMBER 31, 2012 THROUGH DECEMBER 31, 2013 AT A COMPENSATION RATE OF UP TO \$15,900.00 A MONTH (INCLUDING A \$900.00 PER MONTH MANAGEMENT FEE AND UP TO \$15,000.00 A MONTH IN GARAGE OPERATING EXPENSES) 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 THE MONTCLAIR VILLAGE ASSOCIATION FOR THE OPERATION AND MANAGEMENT OF MONTCLAIR GARAGE LOCATED ON 6235 LA SALLE 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 manages the funds collected from its membership through an annual assessments, which are used to pay for infrastructure maintenance and cleaning of public property, security services and daily patrols, beautification projects, and district and shop-local promotions; 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

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

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

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

**WHEREAS**, the City Council 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 services contracts involving expenditures of more than twenty-five thousand dollars (\$25,000.00)

**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

**WHEREAS**, funds for the agreement are available in the adopted FY 2012-2013 budget in the Parking Revenue Fund (1750), Parking Citation Assistance Center (08931); now, therefore, be it

**RESOLVED**, That the Council hereby finds that in 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 formal advertising and competitive selection requirement of the OMC, and to enter into a new contract with the Montclair Village Association for parking management for an initial period of three years, with an extension of two years, and be it further

**FURTHER RESOLVED:** That the City Administrator is hereby directed to extend the existing contract with the Montclair Village Association to provide parking facility management services on a month-to-month basis for the Montclair Garage and Scout Lot for a term of twelve months from December 31, 2012 through December 31, 2013, at a monthly compensation rate of up to \$15,900.00, consisting of a management fee of \$900.00, plus up to \$15,000.00 a month for direct garage operating expenses, for a total not-to-exceed \$190,800.00 (twelve months times \$15,900.00 a month); and be it

**FURTHER RESOLVED:** That the City Administrator is hereby directed to commence negotiations on a new contract with the Montclair Village Association for said parking management services, for an initial period of three years, with an additional two-year extension contingent on satisfactory performance, as determined by staff’s evaluation, 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 18 2012, 20    

**PASSED BY THE FOLLOWING VOTE:**

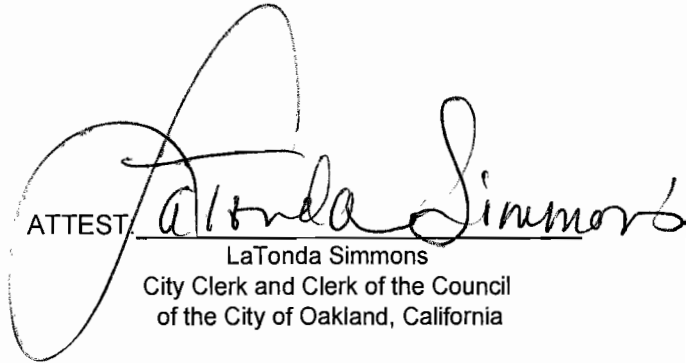
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST



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