


Celso Ortiz (July 1, 2024 10:18 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AWARDING A CONTRACT TO R&S OVERHEAD GARAGE DOOR INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR OVERHEAD GARAGE DOORS AND ROLLING GATES, MAINTENANCE AND REPAIR SERVICES FOR 149 ROLL-UP DOORS AND 39 ROLLING GATES AT 37 CITY FACILITY LOCATIONS IN THE AMOUNT NOT-TO-EXCEED FIVE HUNDRED THOUSAND (\$500,000) PER YEAR FOR A FOUR-YEAR TERM, OCTOBER 1, 2024 TO SEPTEMBER 30, 2028; WITH ONE (1) - YEAR OPTION TO EXTEND THE AGREEMENT IN THE AMOUNT NOT-TO- EXCEED FIVE HUNDRED THOUSAND (\$500,000) PER YEAR, FOR TOTAL NOT-TO EXCEED CONTRACT AMOUNT OF TWO MILLIONS FIVE HUNDRED THOUSAND (\$2,500,000) OVER A FIVE-YEAR TERM, IN ACCORD WITH SPECIFICATION NO. 910-00/RFQ 271286 AND CONTRACTOR'S BID PROPOSAL, AND WAIVE THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS

WHEREAS, the Oakland Public Works Department (OPW), Bureau of Maintenance and Internal Services (BMIS), Facilities Services Division maintains 149 roll- up doors and 39 rolling dates at 37 City facilities; and

WHEREAS, on February 16, 2024 Specification No.910-00/RFP 271386 was sent to ten (10) qualified contractors to select the lowest, responsive and, responsible bidder and the most qualified contractor to provide professional installation, maintenance and repair services for roll-up doors and rolling gates at various facilities, posted on the City's web page and advertised in the City's official newspaper in accordance Oakland Municipal Code (OMC) 2.04.050; and

WHEREAS, on March 14, 2024, the City received three (3) quotations/proposals and R&S Overhead Garage Door, Inc., was deemed as lowest, responsive, and responsible bidder; and

WHEREAS, ordinance number 13640 C.M.S. and 13647 C.M.S. requires a minimum 50-percent (50%) Local Business Enterprise/Small Local Business Enterprise ("LBE/SLBE") participation for all purchase of commodities, goods, and associated services for contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified business listed in the industry, trade, or profession that constitutes a major category of work. However, the Council may waive the City's LBE/SLBE requirements due to a lack or limited availability of LSBEs or LBEs and because it is in the best interests of the City to do so; and

WHEREAS, Staff has not been able to identify any of the certified LBEs/SLBEs that can perform the services to the City that are required under this contract. Thus, staff requests that the Council waives the LBE/SLBE utilization requirements for this proposed contract award on this basis and because it is in the best interests of the City to do so because of the reasons discussed in this report; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now; and

WHEREAS, the funds for this contract are budgeted in the FY 2025-2030 Facilities Services Fund (4400), Facilities: Maintenance ORG (30556), DP300 Administrative Project (1000010) and within each requesting City Department; therefore, be it•

RESOLVED: That the preceding Whereas recitals and the findings and determinations therein are hereby incorporated in this Resolution by reference; and be it

FURTHER RESOLVED: That the Council hereby awards a contract to R&S Overhead Garage Door, Inc., the lowest responsive and responsible bidder, for overhead garage doors and rolling gates installation, maintenance, and repair services for 149 roll-up doors and 39 rolling gates at 37 locations in an amount not-to-exceed \$500,000 per year for a four-year term, October 1, 2024 to September 30, 2028, in accord with Specification No. 910-00/RFQ 271286 And Contractor's bid proposal; and be it

FURTHER RESOLVED: There is no minimum commitment to this contract and funds will not be committed beforehand unless funding is identified; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to exercise in his sole discretion, one (1) one-year options to extend the contract in an amount not-to-exceed \$500,000 per year, for a total not-to-exceed contract amount of \$2,500,000 over a five-year term; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to extend the contract with R&S Overhead Garage Door, Inc. on a month-to-month basis after the initial extension options are exhausted while a process for a new contract is completed; and be it

FURTHER RESOLVED: That the Council finds that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (No significant effect on the environment) and 15268 (ministerial projects): be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality and shall be placed on file in the office of the City Clerk

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the City of
Oakland, California