


Celso Ortiz (May 4, 2025 11:52 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) ENTER INTO RENEWAL AGREEMENTS FOR ON-GOING CITYWIDE INFORMATION TECHNOLOGY OPERATIONS AND MAINTENANCE AGREEMENTS; (2) HARDWARE, SOFTWARE, DATA, STORAGE, PROFESSIONAL SERVICES AND MAINTENANCE AGREEMENTS TO UPGRADE AND ENHANCE EXISTING SYSTEMS, INCLUDING, BUT NOT LIMITED TO ORACLE, MICROSOFT, GEOGRAPHIC INFORMATION SYSTEMS, PERMITTING SYSTEMS AND PUBLIC SAFETY SYSTEMS AS SET FORTH IN TABLE 1 ATTACHED HERETO; UP TO THE NOT-TO-EXCEED AMOUNT OF \$20 MILLION PER YEAR IN FISCAL YEARS (FY) 2025 THROUGH 2027 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$40 MILLION FROM THE ADOPTED INFORMATION TECHNOLOGY DEPARTMENT BIENNIAL BUDGET, WHICH INCLUDES MULTI-YEAR AGREEMENTS ENTERED OR RENEWED DURING FY 2025 THROUGH 2027 WITH TERMS THAT EXTEND BEYOND THE TWO-YEAR PERIOD; AND: (A) WAIVING THE MULTI-STEP SOLICITATION PROCESS AND (B), TO THE EXTENT NECESSARY, WAIVING THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS FOR THESE AGREEMENTS

WHEREAS, technology, including both systems and data, is the underlying infrastructure that connects multiple departments and agencies together and the basis upon which many of the City of Oakland's basic services depend; and

WHEREAS, OMC section 2.04.042.B requires the City Administrator to conduct a multi-step solicitation process for acquisition of any IT system; and

WHEREAS, OMC section 2.04.042.D permits the Council to waive solicitation processes upon finding that it is in the City's best interests to do so; and

WHEREAS, the Local/Small Local Business Enterprise (L/SLBE) Program, Ordinance No. 13647 C.M.S., requires a minimum fifty-percent (50%) participation for all professional service contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified businesses listed in the industry, trade, or profession that constitutes a major category of

work; and if at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available; and

WHEREAS, Staff has conducted an analysis of vendors that qualify for L/SLBE requirements and identified four currently providing technology equipment and services, and will continue to work with the Department of Workplace and Employment Standards (DWES) to identify and onboard, to the fullest extent possible, qualified L/SLBE vendors for additional IT services and solutions; and

WHEREAS, the Council may, in its discretion, waive the requirements of the L/SLBE Program; and

WHEREAS, staff have determined the required upgrades and improvements must be able to integrate into existing systems and facilities and therefore limits the qualified vendors that are able to provide the equipment and professional services to facilitate the upgrades and improvements at the lowest possible cost; and

WHEREAS, such information technology contracts will need to be completed within a shortened time span and will be used to upgrade and/or maintained existing systems, and that such waiver is reasonable and economical under the circumstances; and

WHEREAS, the ability to renew and upgrade and/or maintain existing systems will provide significant cost savings and other efficiencies to the City, requiring the use of vendors who are familiar with the existing information technology architecture; and

WHEREAS, the City Council will appropriate and allocate funding for these agreements as part of the managing department's operating budget in the biennial budget for Fiscal Years (FY) 2025 through 2027, and expenditures shall not exceed \$20,000,000 per fiscal year from appropriated and budgeted funding sources; and

WHEREAS, Resolution 89832 C.M.S. (2023) shall sunset upon the passage of this Resolution; and

WHEREAS, this Resolution shall be in effect for the entirety of the two-year period for FY 2025 through 2027 and includes multi-year agreements entered or renewed during FY 2025 through 2027 that extend beyond FY 2027; and

WHEREAS, the City Administrator has determined that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; now, therefore, be it

RESOLVED: That the City Council finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized without returning to Council to negotiate and execute 1) renewal agreements for ongoing

information technology operations and maintenance agreements; and 2) hardware, software, data, storage, professional services and maintenance agreements to upgrade and enhance existing systems, including, but not limited to Oracle, Microsoft, Geographic Information Systems, Permitting Systems and Public Safety Systems; and be it

FURTHER RESOLVED: That for the reasons stated above and in the report accompanying this Resolution, the City Council hereby finds and determines that it is in the best interests of the City to waive the multi-step solicitation processes pursuant to Oakland Municipal Code section 2.04.042.D, and, to the extent necessary and for good cause shown, the City's Local/Small Local Business Enterprise program requirements, and so waives these requirements for the information technology agreements; and be it

FURTHER RESOLVED: That this Resolution shall be in effect for the entirety of the two-year period for the FY 2025 through 2027 and includes multi-year agreements entered or renewed during FY 2025 through 2027 that extend beyond FY 2027; and be it

FURTHER RESOLVED: That expenses under this Resolution shall not exceed \$20 million per fiscal year from funding appropriated through the adopted FY2025-2027 budget; and be it

FURTHER RESOLVED: That the agreements and any subsequent amendments or extensions shall be reviewed and approved by the Office of the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

OCA DOCUMENT NUMBER / ATTORNEY INITIALS – Updated 1/6/2025