

INTRODUCED BY

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[Signature]
Office of the City Attorney

Member of the City Council

RESOLUTION No. 78311 C.M.S.

**A RESOLUTION AUTHORIZING
THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH
XEROX GLOBAL SERVICES CORPORATION FOR PROFESSIONAL SERVICES TO
PROVIDE, INSTALL, AND LICENSE COMPUTER SOFTWARE AND HARDWARE
FOR AN INTEGRATED PERMIT, ENFORCEMENT, AND RECORDS TRACKING
SYSTEM (PERTS) IN AN AMOUNT NOT TO EXCEED TWO MILLION EIGHT
HUNDRED TWENTY THOUSAND DOLLARS (\$2,820,000.00)**

WHEREAS, the Council of the City of Oakland determined in the FY 2001/03 Capital Improvement Budget that the Community and Economic Development Agency (CEDA) had a critical need for a Permit, Enforcement, and Records Tracking System (PERTS) to replace and upgrade the automation of its regulatory functions and so allocated the funding for said PERTS in the Technology Project section; and

WHEREAS, the Information Technology Division (IT) of the Finance and Management Agency (FMA) and the Community and Economic Development Agency (CEDA) subsequently issued and publicly advertised in September 2002 a Request For Proposal RFP) for qualified bidders to provide, install, and license computer software and hardware for said PERTS; and

WHEREAS, IT and CEDA thoroughly evaluated the submittals received from bidders in accordance with criteria established in the RFP; and

WHEREAS, following said evaluation of the RFP submittals, IT and CEDA made a recommendation that the City Council authorize the negotiation and execution of a professional services contract with the Xerox Global Services Corporation in an "Agenda Report" dated December 9, 2003, to Deborah Edgerly, City Manager, entitled, "A Report For The Purchase And Installation Of Computer Hardware And Software And Professional Services For An Integrated Permit, Enforcement, and Records Tracking System (PERTS) For A Total Amount Not To Exceed Four Million Dollars (\$4,000,000)"; and

WHEREAS, the Council of the City of Oakland periodically authorizes the City Manager to negotiated and execute contracts for technology- based professional services;

WHEREAS, the City Council finds that the support services are professional, scientific, or technical; and

WHEREAS, the City Council finds that the services are temporary in 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 services; and

WHEREAS, the City Council finds that the support services are exempt from competitive bidding pursuant to Section 2.04.050.I of the Oakland Municipal Code; now, therefore, be it

RESOLVED, that the Council of the City of Oakland does authorize the City Manager or his or her designee to negotiate and execute a professional services agreement with Xerox Global Services Corporation to provide, install, and license computer software and hardware for an integrated Permit, Enforcement, and Records Tracking System (PERTS) in an amount not to exceed Two Million Eight Hundred Twenty Thousand Dollars (\$2,820,000.00); and be it

FURTHER RESOLVED, that the Council of the City of Oakland does hereby authorize the City Manager or his or her designee to fund expenditures for said agreement with a combination of appropriations from a re-allocation of unspent of technology project appropriations, approved as part of the FY 01/03 Capital Improvement Program for CEDA, and from an appropriation of supplemental revenue in a new CEDA project from a new Technology service fee and from the increase in the collection of an existing Records Management service fee assessed by the Building Services Division of CEDA, and, as an alternative source of funding, from a financing agreement with Xerox Global Services; and be it

FURTHER RESOLVED, that the Council of the City of Oakland does hereby direct the City Manager or his or her designee to condition within said agreement incremental disbursements of said expenditures for work performed and completed by said contractor and approved by the City upon progressive demonstrations of successful interfacing with PERTS software; and be it

FURTHER RESOLVED, that the City of Oakland will not pay at the fifth month of the contract if the Interface Module fails.

IN COUNCIL, OAKLAND, CALIFORNIA,

JAN 20 2004

PASSED BY THE FOLLOWING VOTE:


AYES: BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE - 7

NOES: Ø

ABSENT: ~~BROOKS~~ Ø

EXCUSED: BROOKS -1

ABSTENTION: Ø

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California