

2017 MAR -2 PM 4:39

OAKLAND CITY COUNCIL

86658

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS AND THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS AND AWARDING A CONTRACT TO MOTIV POWER SYSTEMS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TEN THOUSAND DOLLARS (\$110,000) FOR THE PURCHASE OF AN ELECTRIC VEHICLE TO BE USED AS THE OAKLAND PUBLIC LIBRARY'S MOBILE LIBRARY VEHICLE

WHEREAS, the Oakland Public Library seeks to enter into a purchase agreement with Motiv Power Systems for purchase of an electric vehicle for the Oakland Public Library's Pop-Up Mobile Library vehicle; and

WHEREAS, as of January 10, 2017, Motiv Power Systems has confirmed availability of a used CargoPort electric vehicle at a substantially reduced price; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.050.A requires the City conduct formal advertising and competitive bidding where the cost of services, supplies or combination thereof exceeds \$50,000, and OMC 2.04.050.I.5 allows the City Council to waive advertising and bidding requirements upon a finding by the Council that it is in the best interest of the City to do so; and

WHEREAS, staff recommends that the City Council, pursuant to OMC Section 2.04.050.I.5, waive the advertising and competitive bidding requirements for the purchase agreement with Motive Power Systems because time is of the essence and the City may lose the opportunity to purchase the vehicle from Motiv and be required to purchase a new vehicle at a cost of over \$220,000, almost 2 ½ times more than the Motiv vehicle; and

WHEREAS, staff further recommends that the City Council waive the L/SLBE requirements; now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator to enter into a purchase agreement with Motiv Power Systems in an amount not to exceed \$110,000 for the Oakland Public Library's Pop-Up Mobile Library vehicle; and be it

FURTHER RESOLVED: That Pursuant to OMC Section 2.04.050.I.5, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising and competitive bidding requirements based on the reasons set forth herein and in the City Administrator's Report accompanying this resolution; and be it

FURTHER RESOLVED: That the City Council hereby waives the L/SLBE requirements for this purchase agreement with Motiv Power Systems; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to complete all required negotiations, certifications, assurances, and documentations required to accept, modify, extend and/or amend the proposed Motiv Power agreement except for any increase in the contract costs; and be it

FURTHER RESOLVED: That all proposed contract expenditure allocations shall be expensed to the Oakland Public Library FY 2016-17 operating budget as follows:

- 1) \$100,000: Organization 61342, Fund 1010, Account 57611, Program Code NB17;
- 2) ~~\$10,000: Organization 61342, Fund 1010, Account 52811, Program Code NB17; and be it~~

FURTHER RESOLVED: That copies of the proposed agreement shall be filed with the Office of the City Clerk.

MAR 2 1 2017

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

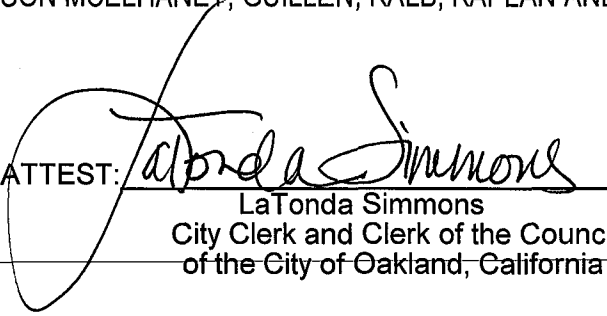
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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