



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2012 JUN 28 PM 5:03

OAKLAND CITY COUNCIL

 RESOLUTION No. 83997 C.M.S.

RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM TO THE OAKLAND FIRE DEPARTMENT (OFD) FOR THE PERIOD OF JANUARY 27, 2012 THROUGH JANUARY 26, 2013, IN THE AMOUNT OF TWO HUNDRED TEN THOUSAND SIX HUNDRED AND FORTY DOLLARS (\$210,640) AND TO MATCH FUNDS IN THE AMOUNT OF FIFTY-TWO THOUSAND SIX HUNDRED AND SIXTY-THREE DOLLARS (\$52,663) TO UPGRADE THE DEPARTMENT'S SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT; 2) AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO BAUER COMPRESSOR IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY-THREE THOUSAND AND THREE HUNDRED AND THREE DOLLARS (\$263,303) FOR THE PURCHASE OF PARTS REQUIRED FOR THE UPGRADE OF SCBA EQUIPMENT; AND 3) WAIVING THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, the U.S. Department of Homeland Security's Fiscal Year 2011 and Fiscal Year 2012 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program (FY 2011 – FY 2012 FEMA/AFG program) awarded funds in the amount of \$210,640 to the Oakland Fire Department for the period January 27, 2012 through January 26, 2013; and

WHEREAS, the purpose of the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

WHEREAS, the acceptance of these grant funds will allow payment for 80% of the cost to purchase component parts necessary for the upgrade of the Fire Department's existing Self Contained Breathing Apparatus' (SCBA) equipment; and

WHEREAS, the Fire Department is required to meet the highest SCBA level of standards as set by the National Institute for Occupational Health and Safety (NIOSH) and National Fire Protection Association (NFPA); and

WHEREAS, the Fire Department currently uses SCBAs which are over ten (10) years old; and

WHEREAS, upgrading the Fire Department's existing SCBA inventory is the more economical

WHEREAS, the required grant performance period is January 27, 2012 through January 26, 2013 and there is limited time to complete this project; and

WHEREAS, Oakland Municipal Code section 2.04.050.I.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

WHEREA, staff recommends that it is in the best interests of the City to waive the advertising and bidding requirements so the Oakland Fire Department can enter into contract with Bauer Compressor for the upgrade to the department's SCBA equipment; and

WHEREAS, the SCBA upgrades shall be approved as in accordance with NIOSH pursuant to 42 CFR, Part 84 for (CBRN) with a 30, 45, or 60-minute-rated service life and shall also be approved in compliance with all requirements of the National Fire Protection Association's 2007 Edition of NFPA-1981 and 2007 Edition of NFPA-1982; now, therefore be it

RESOLVED, That the City Council hereby authorizes the City Administrator or her designee, to accept and appropriate grant funds from the U.S. Department of Homeland Security's Fiscal Year 2011 and Fiscal Year 2012 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program (FY 2011 – FY 2012 FEMA/AFG grant funds) to the Oakland Fire Department for the period of January 27, 2012 through January 26, 2013, in the amount of \$210,640 and to match general funds in the amount of \$52,663 from the OFD adopted budget to upgrade 112 SCBAs; and be it

FURTHER RESOLVED, That the City Council hereby authorizes the City Administrator or her designee, to accept, appropriate, administer and expend FY 2011 – FY 2012 FEMA/AFG grant funds up to \$210,640 from Fund 2124 Federal Emergency Agency, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or her designee, to enter into a contract with Bauer Compressor for the purchase of SCBA parts in an amount not to exceed \$263,302 for the Fire Department to upgrade existing SCBA equipment in the Fire Department; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or her designee, to expend \$52,663 from General Fund 1010, Organization 20611 Education and Training, Project TBD, Program PS27 Fire Department Safety; and be it

FURTHER RESOLVED, the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.I.5, for the reasons stated above and in the City Administrator's report accompanying this resolution, the City Council hereby finds that it is in the City's best interest to waive the City's advertising and competitive bidding process requirements for the products to be purchased under the proposed contract with Bauer Compressor and so waives such requirements; and be it

FURTHER RESOLVED, That the City Administrator is hereby authorized to complete all negotiations, applications, agreements, amendments, payment requests and related actions which may be necessary to carry out the purposes of the aforementioned grant and completion of the proposed contract with Bauer Compressor; and be it

FURTHER RESOLVED, that all contracts authorized hereunder shall be approved for form

and legality by the Office of the City Attorney and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2012, 20

PASSED BY THE FOLLOWING VOTE:

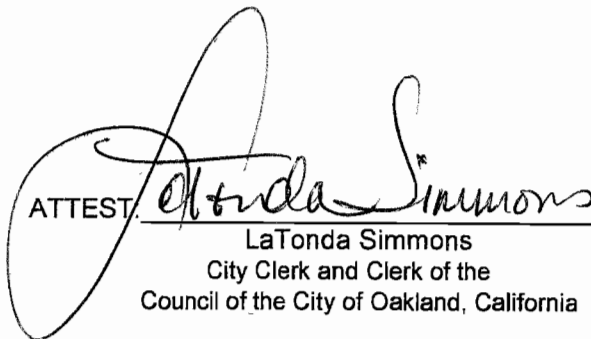
BROOKS, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, NADEL, SCHAAF, ~~BRUNNER~~ and PRESIDENT REID - 6

NOES - 0

ABSENT - Brunner - 1

ABSTENTION - 0

Excused - Kaplan - 1

ATTEST, 

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