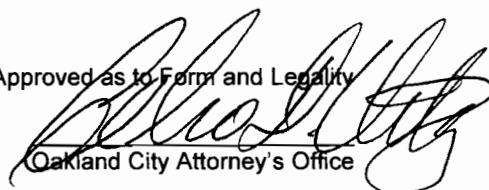


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality



Oakland City Attorney's Office

2010 SEP -2 PM 4: 37

OAKLAND CITY COUNCIL

RESOLUTION No. 82977 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE WAIVER OF THE COMPETITIVE BIDDING REQUIREMENTS IN ACCORDANCE WITH OAKLAND MUNICIPAL CODE 2.04.050.I.2, AND ENTER INTO AN AGREEMENT WITH ALBANY FORD IN AN AMOUNT NOT-TO-EXCEED TWO HUNDRED TWENTY NINE THOUSAND SEVEN HUNDRED AND FIVE DOLLARS (\$229,705) FOR THE PURCHASE OF EIGHT (8) POLICE VEHICLES, AND APPROPRIATING FUNDS FOR THE PURCHASE

WHEREAS, staff determined that eight additional police vehicles would enable the Oakland Police Department to further both it's community policing strategies and crime prevention efforts; and

WHEREAS, staff's misinterpretation of the City's purchasing policies caused eight police vehicles to be ordered pre-maturely without proper authority; and

WHEREAS, eight vehicles were delivered in June 2010, invoices are past due and Albany Ford is accruing interest charges from Ford Motor Company; and

WHEREAS, Oakland Municipal Code Sections 2.04.050.A, 2.04.050.E and 2.04.040.B.2 require staff to conduct advertising and bidding and award to the lowest bidder for services and supplies; and

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

WHEREAS, it is in the City's best interests to retain the police vehicles ordered from Albany Ford because advertising and bidding would not result in local firms participating as there is no longer a Ford dealership in Oakland and the City has purchased Ford product police vehicles for OPD for over 13 years. The Ford product is believed to be most conducive to Oakland's existing fleet and the product comports with other specific requirements; and

WHEREAS, one of the requirements for the purchase of Police vehicles is that the sales and servicing dealers must be located within a specified radius of the City of Oakland's corporation yard. This requirement is critical because it mitigates additional time and unnecessary costs for vehicle transportation when routine and emergency warranty services and repairs are needed; and

WHEREAS, if staff were to bid this purchase, Albany Ford would inevitably be the lowest responsible bidder due to their geographic location and overall costs of the vehicles; now therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5 and for reasons stated in the City Administrator's report and stated above, the City Council finds that it is in the City's best interest to waive the advertising and request for proposal/qualification procedures for the purchase of eight police vehicles from Albany Ford, and so waives the requirements; and be it

FURTHER RESOLVED: that a contract in an amount not to exceed two hundred and twenty nine thousand, seven hundred and five dollars (\$229,705) is awarded to Albany Ford for the purchase of eight 2010 Crown Victoria police vehicles; and be it

FURTHER RESOLVED: That to pay for the said purchase, the City Administrator is authorized to draw grant funds from the 5th Year State Cops and ORA (Oakland Redevelopment Agency Projects), \$76,204.09, Fund 2158 – 5th Year State Cops, Organization 106110, Account 57611, Program PS01 – Administration, Project G374110 – State Cops XIII; \$97,144.43, Fund 2158 - 5th Year State Cops, Organization 106110, Account 57611, Program PS01 – Administration, Project G403510– State Cops XIV; \$28,178.04, Fund 7780 – ORA, Organization 107710, Account 57611, Program PS11 – Police Area 3, Project P233210 – Central City East; \$28,178.04, Fund 7780 – ORA, Organization 107710, Account 57611, Program PS11 – Police Area 3, Project C82620 – Coliseum; and be it

FURTHER RESOLVED: That the contract shall be approved for form and legality by the City Attorney's Office prior to execution and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 21 2010.

PASSED BY THE FOLLOWING VOTE:

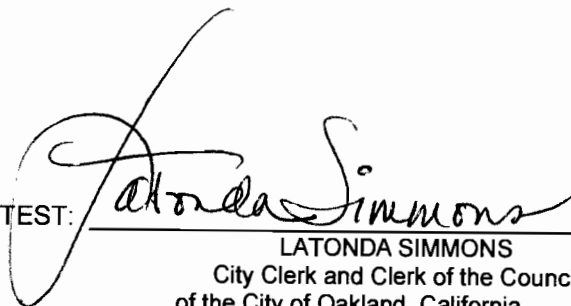
AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~LEE~~, and PRESIDENT BRUNNER - 7

NOES – 0

ABSENT – Reid - 1

ABSTENTION – 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California