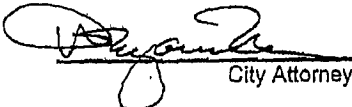


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2011 FEB 24 AM 11:30

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 83273 C.M.S.

RESOLUTION WAIVING ADVERTISING, BIDDING AND THE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE CONTRACT WITH NEOGOV, INC. TO PURCHASE A WEB-BASED RECRUITMENT AND JOB APPLICATION PRODUCT UPGRADE AND TECHNICAL IMPLEMENTATION SERVICES UNDER A ONE-YEAR SUBSCRIPTION IN AN AMOUNT NOT-TO-EXCEED TWENTY-NINE THOUSAND ONE HUNDRED AND NINETY-FIVE DOLLARS (\$29,195.00) FOR THE PERIOD MARCH 15, 2011 TO MARCH 14, 2012

WHEREAS, the City of Oakland wishes to amend and increase its contract with NEOGOV, Inc. (formerly Sigma) to purchase a one-year subscription for a web-based recruitment and job application software product and technical implementation services; and

WHEREAS, the City is currently using an outdated software system for recruitment data collection functions, a NEOGOV, Inc. product; and

WHEREAS, the City is currently using the Oracle iRecruitment software module for online recruiting which is not designed for use in a civil service environment and would be replaced by the upgraded NEOGOV, Inc. product; and

WHEREAS, NEOGOV, Inc. notified its customers that it will stop supporting its outdated recruitment product at the end of 2011 and staff recommends against continuing use of an unsupported recruitment software product; and

WHEREAS, it is necessary that the City improve its recruitment system and online job application program to create greater efficiency and to provide greater service to the Oakland community in recruitment and hiring; and

WHEREAS, NEOGOV, Inc. will provide an upgrade for the City's outdated system comprised of a one-year subscription for products at a cost of \$21,695.00 and implementation services at a cost of \$7,500.00, for a total cost of \$29,195.00 for one year; and

WHEREAS, NEOGOV, Inc. has proprietary rights over its product and is, therefore, uniquely qualified to upgrade the City's recruitment and job application system; and

WHEREAS, staff recommends that the City Council waive the advertising, bidding and request for proposals/qualifications requirements for this system upgrade purchase because: 1) NEOGOV, Inc. is the only vendor that can provide an upgrade to its proprietary product, therefore, solicitation of bids and proposals/qualifications would be impracticable, unavailing or impossible, and 2) staff has determined that it is most cost effective to upgrade the City's existing recruitment system rather than purchase a new system, therefore, waiver of solicitation requirements is in the best interests of the City; and

**WHEREAS,** Oakland Municipal Code ("OMC"), Chapter 2.04, *Purchasing Ordinance*, Section 2.04.040.B.1 requires advertising and bidding for the purchase of products and OMC Section 2.04.040.B.3 requires some type of solicitation process for proposals/qualifications for the purchase of professional or technical services; and

**WHEREAS,** OMC Sections 2.04.050.I.2, 2.04.050.I.5 and 2.04.051.B authorize the City Council to waive advertising, bidding and request for proposals/qualifications requirements upon a finding that it is in the City's best interests to do so; and

**WHEREAS,** the City Administrator has determined that the services to be provided under the contract authorized are of a professional, technical or scientific and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS,** funds have been identified in the Department of Human Resources Management's adopted FY 2010-2011 budget in the General Purpose Fund (1010), Organization (05211); now, therefore, be it

**RESOLVED:** Pursuant to Oakland Municipal Code Sections 2.04.050.I.2, 2.04.050.I.5 and 2.04.051.B and based on the information set forth in this resolution and in the City Administrator's report accompanying this item, the City Council finds that it would be "impracticable, unavailing or impossible" to undertake solicitation processes for this purchase and it is in the City's best interest to waive said processes for procurement of an upgrade for the City's web-based recruitment and job application system, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to increase the contract with NEOGOV, Inc. to purchase a one-year subscription for a web-based recruitment and job application product and technical implementation services in an amount not-to-exceed twenty-nine thousand one hundred and ninety-five dollars (\$29,195.00) for the period March 15, 2011 to March 14, 2012; and be it

**FURTHER RESOLVED:** That the contract authorized hereunder is subject to City Attorney approval for form and legality and shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 15 2011, 2011

**PASSED BY THE FOLLOWING VOTE:**

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

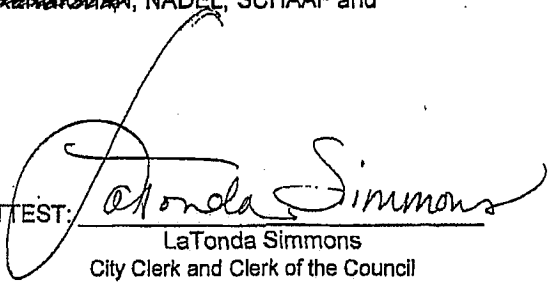
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks; Kernighan - 2

ATTEST:

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