

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 DEC -1 PM 6:42

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: December 13, 2005

RE: **Resolution authorizing the City Administrator or her designee to 1) Negotiate and execute an agreement with Nextel Communications for the replacement, retuning, upgrade and modification of the City's 800 MHz radio equipment per the FCC Rebanding agreement; 2) Allocate funds from the Radio Replacement Fund in an amount not to exceed three million dollars (\$3,000,000) and authorize the City Administrator to execute a contract with Dailey-Wells Inc. for project engineering, radio replacement and upgrades without return to Council; 3) Authorize two (2) additional positions for project management and installation coordination for a period not to exceed three (3) years; 4) Authorize the City Administrator to enter into cooperative agreements with Bay Area Rapid Transit District (BART) and the City of Richmond allowing the mutual roaming capabilities of public safety units on each of the radio systems 5) Authorize the City Administrator to execute a purchase order with M/A-COM. for radio parts and materials for an amount not to exceed five hundred thousand dollars (\$500,000) per year for three (3) years without return to Council.**

SUMMARY

This project includes:

- Replacement of existing mobile and portable radios;
- Equipment upgrade to prepare the City for the introduction of the 700 MHz radio frequencies schedule for release in 2009;
- Improved radio coverage in the BART underground stations, tunnels and the Trans-bay tube;
- Extended coverage for Oakland vehicles along freeways and bridges in Alameda, San Francisco and Contra Costa Counties; and
- "Seamless roaming" throughout Alameda County.

This project will prepare the City's radio system for changes that will occur over the next ten years while using available resources to lessen the City's financial impact. At the conclusion of the project, Oakland's public safety departments will have state of the art equipment, increased coverage and interoperability for a fraction of the initial cost estimates.

Nextel Communications, Inc., (Nextel) as part of a Federal Communications Commission (FCC) settlement is required to replace the majority of the City's radio units. Without the FCC mandate, the estimated cost of the City's upgrade is approximately \$13,000,000 for fleet radios, infrastructure

Item: _____
Finance & Management Committee
December 13, 2005

upgrades, financing and new site acquisitions. Nextel, as part of its negotiations with the FCC, is obligated to pay for the cost of the move to a new area of radio spectrum. Because of the age of the City's existing radios, Nextel is obligated to replace them with units capable of accepting the new frequencies. This allows the City to upgrade its fleet at a fraction of the original discounted cost.

The \$3,000,000 in the radio replacement fund (Fund 4200) originally designated for radio replacement will be reallocated to:

- Increase coverage in the Oakland/Berkeley hills, Temescal, Broadway Terrace, East Oakland hill area, Oakland Airport and Eastmont Mall area with the installation of two additional radio sites;
- Upgrade the replacement radios to prepare the City for the release of the 700MHz radio frequencies;
- Upgrade the new radios to accept future P25 radio software which will allow the interoperability with other jurisdictions with P25 systems;
- Provide interoperability with BART and radio coverage in BART underground stations, tunnels and Trans-bay tube;
- Provide seamless roaming in the BART and Richmond coverage areas and expand Oakland fleet coverage to include Alameda, San Francisco, Contra Costa and adjacent counties; and
- Back up the existing radio system in case of a major system failure.

Replacement planning of the City's mobile and portable radios has been progressing over the last three years. In 2004, Council passed Resolution 78454 C.M.S., authorizing the City Administrator to negotiate certain information technology contracts including the 800 MHz radio replacement. The original proposal was to negotiate a \$13 million, ten-year lease for radio replacement and system upgrade. This lease was to have been paid by user departments, including Police and Fire.

The City of Oakland is scheduled to begin negotiations with Nextel, Inc. during the first quarter of 2006. There is a six month period of voluntary and mandatory negotiations for problem resolution. The FCC requires that the entire upgrade process be completed within 36 months, inclusive of the negotiation period.

FISCAL IMPACT

Nextel is responsible for the cost of relocating all affected 800 MHz users to a new spectrum with comparable technological and operational capabilities to those presently in use. To ensure that adequate funding is available for the entire 800 MHz reconfiguration, the FCC has required Nextel to secure irrevocable letters of credit in the amount of \$2.5 billion and commit to providing additional funding if necessary.

The City's portion of the costs for upgrades and enhancements is estimated at \$3 million. Funds are available in the Radio Fund (fund 4200) to begin this project. This fund receives payments for radio

service from each of the City's user departments as well as those outside agencies which contract with Oakland for radio services.

The chart below lists the estimated City cost for the contract to Daily-Wells for the materials and installation of the upgrades to the existing radio system. Daily-Wells is the West Coast vendor for M/A-COM systems upgrades and installations. Replacement parts and additional radios will be purchased through M/A-COM directly.

City of Oakland Costs From Fund 4200	
Item	Cost
Enhanced Coverage	1,382,148
Radio Purchase (2000 upgraded radios)	600,000
Interoperability and System Roaming	769,591
Tax and Shipping	215,908
Total City Cost	\$2,967,647

Additionally, staff requests that the City Administrator's contract authority with M/A-COM be increased to the standard limit of \$500,000 for the next three (3) years to cover purchases of repair/replacement parts and materials not associated with the upgrade project. The M/A-COM radio purchases will be funded by the user departments and agencies. Outside agencies and City departments that need additional radios will obtain them through a blanket purchase order.

Finally, staff requests 1.0 FTE Project Manager and 1.0 FTE Electronics Technician. The Project Manager will coordinate the overall activities of the rebanding effort and coordinate with the radio vendor, Nextel and the FCC Transition Administrator. The FY 2005-06 cost for this position including benefits is \$129,000.

The Electronics Technician will be responsible for quality control, database accuracy, removals from wrecked vehicles, installations in new vehicles affected by rebanding, and general problem resolution with all City vehicles. The FY 2005-06 cost for this position including benefits is \$81,360. The City will be reimbursed by Nextel Communications for both positions under the guidelines of the rebanding plan.

BACKGROUND

In 1992, the City purchased a General Electric (now M/A-COM/ Tyco Communications) 800 MHz trunked radio system, via competitive bid, in response to the Oakland Hills Fire. Over the last 13 years the City has invested approximately \$20 million in this system.

The current portable and mobile radios are at the end of their useful life and need replacement. In 2004, ITD staff presented a plan to the Council to replace the fleet of radios and make necessary

upgrades to the system. The original proposal was to negotiate a \$13 million, ten-year lease for radio replacement and system upgrade. The lease was to be paid by user departments, including Police and Fire

In early 2005, Nextel, as part of negotiations with the FCC, negotiated a settlement of existing radio interference complaints. A condition of the settlement was to relocate public safety radio frequencies to a new location on the radio spectrum.

Due to the age of the City's existing radios, Nextel is obligated to replace the City's existing radios with units capable of accepting the new frequencies. The City will now be able to upgrade its fleet at a fraction of the original cost.

Rebanding will be coordinated through a Federal Transition Administrator who released a schedule that requires the rebanding to be completed nationwide by the middle of 2008.

KEY ISSUES AND IMPACTS

The City's radio upgrade project will target specific radio needs of the City and keep the City consistent with the overall direction of a regional radio system. The radio upgrade consists of:

- Replacement of the entire public safety radio fleet;
- Acquisition of two radio sites to improve radio coverage and lessen the City's dependence on any one transmitting or receiving radio site;
- Upgrade of the radio infrastructure with equipment capable of being software upgraded for digital (P25) transmission and reception; and
- Installation of equipment that allows City units to roam on other M/A-COM systems (BART & City of Richmond) and provide failover capabilities in the case of a main transmitter site failure.

The City must retune or replace every piece of radio equipment during the 36 months allotted for the rebanding process. This is a mandatory project resulting from a settlement between the FCC and Nextel Communications, Inc. The City must have this work done or it will not be licensed to operate its radio system. Approximately 1,000 vehicles and 1,400 portable radios will be impacted by the project. The fire departments in Piedmont and Emeryville, the Oakland Unified School District and the Port of Oakland all use the Oakland radio system as their main radio system. The project's 36 month timeframe includes a six (6) month negotiation period for problem resolution beginning in the first quarter of 2006.

PROJECT DESCRIPTION

This project will allow the City to take full advantage of the Nextel funding to acquire public safety fleet radios that meet or exceed current regional radio proposals and government standards.

During the rebanding, the City will pay the difference (\$600,000) between the radio model Nextel offers as a trade in and the M/A-COM 7200 series radio able to work on the new 700 MHz system and accept a P25 upgrade. The M/A-COM radio meets the City's radio requirements over the next decade.

The acquisition of two new radio sites at Gwin Reservoir (Oakland/Berkeley hills) and Fire Station 28 (Grass Valley Rd) will increase coverage and give the system more fault tolerance. Currently, loss of the main site would reduce system coverage and capacity by 75 percent. The addition of the two new sites will keep the system operating at 70 percent capacity with only a marginal effect on coverage in the event of a main transmitter failure.

The installation of equipment to connect City, BART and Richmond radio systems solves a long-standing operational need for the City. This upgrade will allow the City to communicate with units in the underground BART facilities, local freeways, bridges and with Oakland Police units transporting prisoners to the Santa Rita Jail.

SUSTAINABLE OPPORTUNITIES

Local Oakland vendors will be used in the replacement and installation of the radio equipment in the City vehicles. The current vendor for these services is Day Wireless of Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

This project will enhance the City's existing emergency response system and provide additional service to those with the greatest needs.

RECOMMENDATION(S) AND RATIONALE

Staff recommends approval of the resolutions for the radio upgrade project. This project will provide the City's public safety units with replacement radio equipment and expanded coverage and capabilities.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council approve the Resolutions authorizing the City Administrator or her designee to: 1) Negotiate and execute an agreement with Nextel Communications, Inc. for the replacement, retuning, upgrade or modification of the City's 800 MHz radio equipment per the FCC rebanding agreement; 2) Allocate funds from the Radio Replacement fund (Fund 4200) in an amount not to exceed three million dollars (\$3,000,000) and authorize the City Administrator to execute a contract with Dailey-Wells Inc. for project engineering, radio replacement and upgrades without return to Council; 3) Authorize 2 additional positions for project management and installation coordination for a period not to exceed three (3) years; 4) Authorize the City Administrator to enter into cooperative agreements with BART and the City of Richmond allowing the mutual roaming capabilities of public safety units on each of the radio systems; and 5) Authorize the City Administrator to execute a purchase order with M/A-COM. for radio parts

and materials for an amount not to exceed five hundred thousand dollars (\$500,000) per year for three (3) years without return to Council.

Respectfully submitted,



**William E. Noland, Director
Finance and Management Agency**

Prepared by:
Bob Glaze, Chief Technology Officer
Information Technology Division

APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE:


OFFICE OF THE CITY ADMINISTRATOR

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 DEC -1 PM 6:42



Oakland City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH NEXTEL COMMUNICATIONS FOR THE REPLACEMENT, RETUNING, UPGRADE AND MODIFICATION OF THE CITY'S 800 MHZ RADIO EQUIPMENT PER THE FCC REBANDING AGREEMENT WITHOUT RETURN TO COUNCIL.

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 78454 authorizing the City Manager to negotiate and return to Council a contract for the Radio system upgrade; and

WHEREAS, the Information Technology Division pursued additional funding sources for the radio upgrades; and

WHEREAS, as a result an Federal Communications Commission (FCC) order, Nextel will pay at least \$2.8 billion for a rebanding process that will eliminate the current interleaved spectrum shared by Nextel and public-safety agencies of this RFP process; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to facilitate this rebanding effort by Nextel; and

WHEREAS, the current estimate is that as much as \$8 million of the estimated \$11 million dollar infrastructure and radio replacement needs will be paid through the Nextel agreement; and

WHEREAS, the products and services provided by this agreement is governed by the settlement agreement and mandate of the Federal Communications Commission; and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or her designee to negotiate and execute an agreement with Nextel Communications for the replacement, retuning, upgrade and modification of the city's 800 MHz radio equipment per the FCC rebanding agreement without return to Council; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

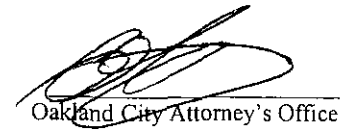
ABSENT-

ABSTENTION-

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2005 DEC -1 PM 6:42

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO AUTHORIZE TWO (2) ADDITIONAL POSITIONS FOR PROJECT MANAGEMENT AND INSTALLATION COORDINATION FOR A PERIOD NOT TO EXCEED THREE YEARS WITHOUT RETURN TO COUNCIL.

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, as a result of an FCC order, Nextel will pay at least \$2.8 billion for a rebanding process that will eliminate the current interleaved spectrum shared by Nextel and public-safety agencies of this RFP process; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to facilitate this rebanding effort by Nextel; and

WHEREAS, the current estimate is that as much as \$8 million of the estimated \$11 million dollar infrastructure and radio replacement needs will be paid through the Nextel agreement; and

WHEREAS, the City has a current staff of four Electronics Technicians and one Electronics supervisor; and

WHEREAS, the replacement and upgrade project will require additional staff to coordinate this effort; and

WHEREAS, the primary funding source is from the Nextel negotiated agreement); and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or her designee to authorize two (2) additional positions for project management and installation coordination for a period not to exceed three years without return to council; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

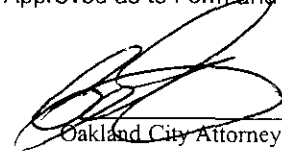
ABSTENTION-

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 DEC -1 PM 6:42


Oakland City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ALLOCATE FUNDS FROM THE RADIO REPLACEMENT FUND IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000.00) AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DAILEY-WELLS INC. FOR PROJECT ENGINEERING, RADIO REPLACEMENT AND UPGRADES WITHOUT RETURN TO COUNCIL

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 78454 authorizing the City Manager to negotiate and return to Council a contract for the Radio system upgrade; and

WHEREAS, the Information Technology Division pursued additional funding sources for the radio upgrades; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to facilitate the rebanding effort by Nextel; and

WHEREAS, M/A-COM Inc has provided radios and replacement parts to the City since 1992; and

WHEREAS, Dailey Wells Inc is the only regional authorized vendor for M/A COM equipment and installation; and

WHEREAS, the performance of Dailey Wells Inc has been satisfactory and can meet the needs of the City for these services; and

WHEREAS, the primary funding source is the Radio Fund (Fund 4200); and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

RESOLVED: That the City hereby finds that Dailey-Wells, Inc is the only authorized regional vendor (located in Richmond, California) for these services and there are no Oakland companies authorized to provide these services; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or her designee to allocate funds from the radio replacement fund in an amount not to exceed three million dollars (\$3,000,000.00) and authorize the City Administrator to execute a contract with Dailey-Wells, Inc. for project engineering, radio replacement and upgrades without return to council; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

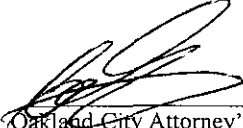
ABSENT-

ABSTENTION-

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2005 DEC -1 PM 6:42

OAKLAND CITY COUNCIL
RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO COOPERATIVE AGREEMENTS WITH BAY AREA RAPID TRASIT DISTRICT (BART) AND THE CITY OF RICHMOND ALLOWING THE MUTUAL ROAMING CAPABILITIES OF PUBLIC SAFETY UNITS ON EACH OF THE RADIO SYSTEMS WITHOUT RETURN TO COUNCIL.

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 78454 authorizing the City Manager to negotiate and return to Council a contract for the Radio system upgrade; and

WHEREAS, the Information Technology Division pursued additional funding sources for the radio upgrades; and

WHEREAS, as a result identified ways in which radio services can be improved and expanded; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to facilitate current and future needs; and

WHEREAS, a cooperative agreement with BART and the City of Richmond and their radio systems would improve and enhance the coverage and capabilities of the Oakland radio system; and

WHEREAS, a cooperative agreement will increase the fail-over capabilities of the City of Oakland system; and

WHEREAS, the cooperative agreement will not result in the transfer of any funds between the Agencies; and

WHEREAS, such an agreement is consistent with state and federal initiatives for system interoperability with local jurisdictions; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator to enter into cooperative agreements with BART and the City of Richmond allowing the mutual roaming capabilities of public safety units on each of the radio systems without return to council; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator to pursue and enter into additional cooperative agreements with local jurisdictions allowing the mutual roaming capabilities of public safety units on each of the radio systems; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2005 DEC -1 PM 6:42

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXECUTE A PURCHASE ORDER WITH M/A-COM INC. FOR RADIO PARTS AND MATERIALS FOR AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) PER YEAR FOR THREE (3) YEARS WITHOUT RETURN TO COUNCIL.

WHEREAS, the Finance and Management Agency (FMA), Information Technology Division is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution 78454 authorizing the City Manager to negotiate and return to Council a contract for the Radio system upgrade; and

WHEREAS, the City of Oakland purchased a General Electric 800 MHz Trunked Radio System (now M/A-COM/ Tyco Communications) in 1992 by competitive bid; and

WHEREAS, the City's radio system will need major modifications in order to meet the current needs of our public safety units; and

WHEREAS, M/A-COM Inc has provided radios and replacement parts to the City since 1992; and

WHEREAS, M/A-COM performance has been satisfactory and can meet the needs of the City for radios and replacement parts; and

WHEREAS, M/A-COM is the manufacturer of the City's radios and replacement parts and it would be of no advantage to purchase these commodities from any other reseller; and

WHEREAS, the primary funding source is the Radio Fund (Fund 4200) and user contracts; and

WHEREAS, the City finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, of the Oakland Municipal Code, it is in the best interests of the City to waive bidding requirements of section 2.04.050; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or her designee to execute a purchase order with M/A-COM Inc. for radio parts and materials for an amount not to exceed five hundred thousand dollars (\$500,000.00) per year for three (3) years without return to council; and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: that the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

INTRODUCED BY COUNCILMEMBER _____

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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