

APPROVED AS TO FORM AND LEGALITY


Celso Ortiz (April 3, 2025 15:24 PDT)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AWARDING A CONTRACT TO OWEN EQUIPMENT SALES, A VACTOR MANUFACTURING LOCAL AUTHORIZED DEALER, IN THE AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS FOR THE PURCHASE OF TWO (2) SEWER FLUSHER TRUCKS, IN ACCORDANCE WITH OAKLAND MUNICIPAL CODE SECTION 2.04.080, PROCUREMENT THROUGH THE USE OF A COOPERATIVE PURCHASING AGREEMENT (SOURCEWELL CONTRACT NO. 101221-VTR); AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION FINDINGS

WHEREAS, the Sewer Services Division of Oakland Public Works is responsible for performing preventive maintenance to over 932 miles of sewer mains, ranging from six inches to over 66 inches in diameter. Preventive maintenance consists of closed-circuit television (CCTV) inspections, cleaning, and performance of minor repairs. The City is currently operating under a Federal Consent (Case Number C09-00186-RS and C09-05684-RS) requiring the City to clean 184 miles and inspect (CCTV) 94 miles of sanitary sewer pipe each year; and

WHEREAS, to comply with this mandated operation, Sewer Maintenance must have adequate quantities of fully functional equipment; and

WHEREAS, due to aging vehicles and equipment, the Sewer Maintenance Division is currently operating at only 50% of its capacity, and is in danger of failing to meet Consent Decree minimum requirements; and

WHEREAS, timely acquisition of public safety and infrastructure equipment by OPW is essential to ensure City is operating under the mandated operation and the continuity and responsiveness of the City's emergency services to the public; and

WHEREAS, Oakland Municipal Code (OMC) § 2.04.080 provides that "[w]here advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process [...] without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and

other applicable policies and requirements set forth in the City's standard contracts and insurance requirements"; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

WHEREAS, per Oakland Municipal Code (OMC) 2.04.030 the City Council may award any purchase orders or contracts in excess of City Administrator's Authority; and

WHEREAS, the cooperative agreement Sourcewell Contract No. 101221-VTR was awarded to Vactor Manufacturing which has been bid- out competitively in accordance to OMC § 2.04.080; and

WHEREAS, Owen Equipment Sales receives authorization as the local dealer by Vactor Manufacturing to sell the sewer flusher trucks at the contract price; and

WHEREAS, due to the immediate need of these critical emergency response vehicles and time and cost savings City will benefit from adopting this resolution, in accordance with Oakland Municipal Code Section 2.04.080, staff recommends entering into a cooperative agreement contract with Owen Equipment Sales in an amount not to exceed \$1,500,000; and

WHEREAS, the contracts will be funded from Fund 3100 (Sewer Maintenance Division), Infrastructure Maintenance Sewer System Org No. 30533, **\$600,000** from Admin Project No. **1000010**, and **\$900,000** from EPA-SEWER CLEANING Project No. **1001676**; now, therefore, be it

RESOLVED: That the Council pursuant to Oakland Municipal Code Section 2.04.80 hereby awards a contract to Owen Equipment Sales for the amount not to exceed \$1,500,000 to purchase two (2) Sewer Flusher Trucks; and be it

FURTHER RESOLVED: That the agreements and the action being undertaken to implement them are exempt from the California Environmental Quality Act (CEQA) under the following CEQA Guideline Sections: Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15301 (existing facilities); Section 15307 (protection of natural resources); Section 15308 (protection of the environment); and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That City Administrator must report back to Council on any contract adjustments and any further increases beyond this amount require additional Council's approval; and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to

complete all required negotiations, execute the agreements, and take any other action consistent with this Resolution and its basic purpose except with respect to any increase in compensation or contract amount; and be it

FURTHER RESOLVED: That the Agreement will be reviewed for form and legality by the City Attorney and a copy filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Chapter Section 303)

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California