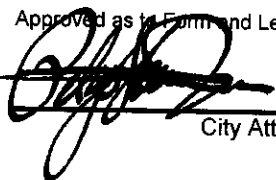


Approved as to Form and Legality  
  
City Attorney

# OAKLAND CITY COUNCIL

CLERK  
2007 JUN 29 PM 4:08

RESOLUTION No. 80768 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND WAIVING THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM PROVISIONS AND AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ENTER INTO A TWO-YEAR MAINTENANCE AGREEMENT WITH BIG VALLEY AVIATION, INC. IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$730,000) FOR THE PERIOD JULY 1, 2007 TO JUNE 30, 2009, FOR HELICOPTER MAINTENANCE SERVICES ON BEHALF OF THE POLICE DEPARTMENT**

**WHEREAS**, the Police Department desires to enter into a two-year Maintenance Agreement in an amount not to exceed \$730,000 with Big Valley Aviation, Inc. for helicopter maintenance services; and

**WHEREAS**, Big Valley Aviation, Inc. is the only helicopter service center in the greater Oakland/San Francisco Bay Area with mechanics adequately qualified to perform helicopter maintenance according to manufacturer and Federal Aviation Administration requirements; and

**WHEREAS**, Big Valley Aviation, Inc., has satisfactorily serviced the Police Department's McDonnell Douglas and Enstrom helicopters for more than twenty years; and

**WHEREAS**, the City Council previously authorized the execution of similar agreements with Big Valley Aviation, Inc. by Resolution No. 79710 C.M.S., dated February 7, 2006, Resolution No. 78002 C.M.S., dated July 29, 2003, and Resolution No. 76647 C.M.S., dated August 14, 2001; and

**WHEREAS**, Big Valley Aviation, Inc. does not meet the City of Oakland's twenty-percent (20%) minimum participation requirement for professional services contracts of \$50,000 or more associated with the Local and Small Local Business Enterprise Programs; and

**WHEREAS**, the three percent (3%) City-mandated contract assessment fee associated with the proposed agreement for services with Big Valley Aviation Services, Inc. totals \$21,262.14 for the two year period; and

**WHEREAS**, 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 Council finds that this agreement 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 Council hereby authorizes the City Administrator to enter into a two-year Maintenance Agreement with Big Valley Aviation, Inc. in an amount not to exceed \$730,000 for maintenance of Police Department helicopters; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the competitive request for proposal/qualifications process for said agreement with Big Valley Aviation, Inc., and, be it

**FURTHER RESOLVED:** That funds in the amount of \$354,386.93 per year, plus a 3% contract compliance fee of \$10,631.07 per year, a total of \$365,000 per year, for an amount not to exceed \$730,000 for two years, are included in the Police Department's FY 2007-2009 baseline budget, with funds allocated in the General Purpose Fund (1010), Airport Support Unit Organization (105660), Special Operations Program (PS13), Miscellaneous Contracts Services Account (54919); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes a waiver of the Local and Small Local Business Enterprise Program Provisions in relationship to the Professional Services Agreement with Big Valley Aviation, Inc.; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement for services, except for any increase in the contract amount; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement with the Big Valley Aviation, Inc. as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2007, 20    

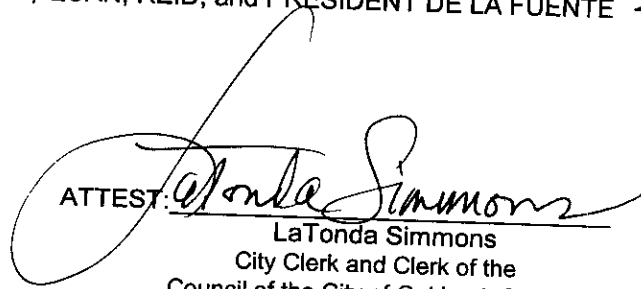
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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