

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 JUL 11 AM 9:40 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO:

- 1) **APPROPRIATE AND ALLOCATE \$8,475,600 OF RADIO FINANCING FUNDS TO PAY FOR PUBLIC SAFETY RADIO FLEET REPLACEMENT, AND**
- 2) **AWARD CONTRACTS TO MOTOROLA SOLUTIONS INC. AND OTHER VENDORS FOR THE PURCHASE OF PORTABLE RADIOS AND ASSOCIATED EQUIPMENT, PRODUCTS, PROFESSIONAL AND TECHNICAL SERVICES WITHIN THE BUDGET OF \$8,475,600 WITHOUT RETURN TO COUNCIL, PROVIDED THAT PRIOR TO EXPENDITURE OF ANY FUNDS STAFF WILL AWARD CONTRACTS AND ESTABLISH CONTRACT AMOUNTS FOR THE CONTROLLER'S BUREAU; AND**
- 3) **WAIVE ADVERTISING AND COMPETITIVE BIDDING AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) REQUIREMENTS, FOR SAID PURCHASES**

WHEREAS, On Jan 21, 2014 Council directed the staff to enter into negotiations with East Bay Regional Communication System Authority (EBRCSA) and return to Council in 90-120 days with proposed negotiations terms and a funding and transition plan for the City Council to consider; and

WHEREAS, On February 18, 2014 Council authorized the City Administrator to negotiate and execute a master lease agreement and necessary related documents to provide funding to replace the existing radio fleet and upgrade the aging communication equipment in an amount not to exceed twenty-seven million dollars (\$27,000,000) at an interest rate not to exceed 4.50% on a tax-exempt basis and 5.75% on a taxable basis for a term of not more than 8 years; and

WHEREAS, EBRCSA P25 radio network equipment is manufactured and provided by Motorola Solutions Inc.; and

WHEREAS, City of Oakland owns, operates and maintains its own P25 Radio network, manufactured by Harris Public Safety and Professional Communications; and

WHEREAS, the current fleet of portable radio equipment currently in use by the Oakland Police and Fire Department users have been in service for more than seven years, while the useful life of this equipment averages seven to nine years; and

WHEREAS, staff has determined it is necessary to replace and deploy new radios and associated support equipment to include various types of protective cases and straps, external microphones, various specialized audio accessories including earpieces and headset systems, batteries and charging stations, programming and alignment services and equipment including cables, software, and specialized radio test and alignment hardware; and

WHEREAS, Oakland Municipal Code Sections 2.04.050.A, 2.04.051.A and 2.04.040.B require staff to conduct advertising and bidding or request for proposals processes for the purchase of products or professional, technical or specialized services; and

WHEREAS, Oakland Municipal Code Sections 2.04.050.I and 2.04.051.B authorize the City Council to waive advertising and bidding or requests for proposal/qualification processes upon finding that it is in the best interests of the City to do so; and

WHEREAS, staff researched and contacted other public safety organizations in the Bay Area that selected Motorola Radio Equipment through competitive bids and currently use their handheld radio equipment and recommends that it is in the best interests of the city to waive advertising and bidding and request for proposal/qualifications requirements for the purchase Motorola radios and products, parts and services needed to support said radios because Motorola radios are compatible with the current Oakland P25 network and the EBRCSA P25 radio network, and will minimize additional integration costs if the Council decides to join the EBRCSA network; and

WHEREAS, staff has determined that an appropriation of eight million four-hundred seventy-five thousand dollars (\$8,475,600) is needed to purchase and/or lease 1300 radios, related equipment, products and professional and technical services needed to fully replace the portable radio fleet; and

WHEREAS, staff will be required to identify all contractors and contract amounts prior to any expenditure of the funds so that the Controller's Bureau can track the expenditure; and

WHEREAS, staff anticipates that the portable radios for police personnel shall cost no more than five thousand dollars (\$5,000.00) for each radio unit, inclusive of all software and associated accessories, to properly outfit each radio user with the required equipment to operate the portable radio unit; and

WHEREAS, staff anticipates that the portable radios for fire personnel shall cost no more than seven thousand dollars (\$7,000.00) for each radio unit, inclusive of all software and associated accessories, to properly outfit each radio user with the required equipment to operate the portable radio unit; and

WHEREAS, staff anticipates that the portable radio replacement project will also require one-time professional services in an amount not to exceed three hundred fifty six thousand dollars (\$356,000) to receive, inventory, setup, test, and deploy the portable radios to public safety personnel; and

WHEREAS, staff has budgeted six hundred and sixteen thousand dollars (\$616,000) for the purchase of additional equipment to properly test, setup, and deploy the portable radios, batteries, chargers, and other essential equipment for radio users prior to the deployment of new portable radios to public safety personnel; and

WHEREAS, staff has budgeted a project contingency of four hundred and three thousand dollars (\$403,000) which is equal to 5% of the estimated project costs in order to quickly resolve unforeseen challenges to the deployment of new portable radios and further ensure a successful and timely project is delivered to public safety personnel; and

WHEREAS, staff anticipates the deployment of new portable radios to public safety personnel will take approximately six months to complete and will commence in January of 2015 with an estimated completion of July of 2015; and

WHEREAS, the City Administrator has determined that services provided pursuant to said agreement with Motorola Solutions Inc. are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Administrator has determined that said agreements shall not result in a 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 appropriates eight million four-hundred seventy-five thousand dollars (\$8,475,600) for the purchase and/or lease of portable radios, related equipment, products and professional and technical services to replace the city's existing portable radio fleet to the Radio and Telecommunications Fund (Fund 4200); and be it

FURTHER RESOLVED: That funds to pay the onetime costs and ongoing annual costs will be paid out of the Radio and Telecommunication Services Fund (Fund 4200); and be it.

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to award contracts to Motorola Solutions Inc. and other vendors for the purchase of portable radios and associated equipment, products and professional and technical services to replace the city's existing fleet within the total budget of eight million four-hundred seventy-five thousand dollars (\$8,475,600), without return to council, provided that prior to expenditure of any funds staff completes contract awards with specific contract amounts for the Controller's Bureau to program to track expenditures; and be it

FURTHER RESOLVED: That pursuant to OMC sections 2.04.050.I. and 2.04.051.B and for the reasons stated in the City Administrator's report accompanying this Resolution and above, the City Council hereby finds and determines that it is in the best interest of the City to waive advertising, bidding and request for proposal/qualifications processes for the purchase of portable radios, equipment, products and professional and technical services needed to replace the City's portable radio fleet; and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the services provided pursuant to contracts authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED: That the contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and
 PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

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