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FILED  
OFFICE OF THE CITY ATTORNEY  
OAKLAND

*Amadeo Sotolongo*  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 903183 C.M.S.

**RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ROTORCRAFT SUPPORT, INC. (RSI) TO PROVIDE HELICOPTER MAINTENANCE SERVICES TO THE OAKLAND POLICE DEPARTMENT (OPD) FOR HELICOPTER USE IN ASSISTING VARIOUS DEPARTMENTS WITH RESPONDING TO EMERGENCIES THROUGHOUT THE CITY, FOR THE PERIOD OF JULY 1, 2024 TO JUNE 30, 2026, IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED AND FIFTY THOUSAND DOLLARS (\$850,000) PER YEAR FOR A TOTAL CONTRACT NOT TO EXCEED ONE MILLION, SEVEN HUNDRED THOUSAND DOLLARS (1,700,000); AND (2) WAIVING THE LOCAL AND SMALL BUSINESS (LBE/SLBE) ENTERPRISE PROGRAM REQUIREMENTS**

**WHEREAS**, the Oakland Police Department (OPD) uses helicopters for backup for vehicle-based police patrols during pursuits and arrests, and directing the deployment of officers at crime scenes; and

**WHEREAS**, OPD has two patrol helicopters and one training helicopter which require regular mechanical support to maintain safe operational functionality; and

**WHEREAS**, the City Council adopted Resolution No. 84382 C.M.S. on May 21, 2013, which authorized the City Administrator to enter into a professional services agreement with Big Valley Aviation, Inc. (Big Valley) in an amount not to exceed \$220,214 from May 14, 2013 to June 30, 2014, and to waive the City's competitive bidding requirements, and local and small business enterprise program (L/SBE) provisions; and

**WHEREAS**, OPD utilized a cooperative contract agreement with the Contra Costa County Sheriff's Office to secure a contract with Rotorcraft Support, Inc. (RSI) for the period of July 1, 2014 to June 30, 2017; and

**WHEREAS**, over recent years, OPD has relied on four contracts with Rotorcraft Support, Inc. (RSI) as follows: (1) for July 1, 2017 to June 30, 2018; (2) for July 1, 2018 to June 30, 2020; (3) for July 1, 2020 to June 30, 2022; and (4) for July 1, 2023 to June 30, 2024 through a cooperative agreement with the City of San Diego; and

**WHEREAS**, the proposed OPD-RSI contract for the period of July 2024 to June 30, 2026 specifies an hourly rate for helicopter maintenance between \$140 to \$210 per hour, depending on the type of mechanical support, plus a cost structure for vehicle parts; and

**WHEREAS**, OPD had spent approximately \$850,000 per year on maintenance (labor and parts) over the last two years, but must budget for a higher level of annual maintenance costs as the OPD helicopter fleet continues to age while also seeing a greater frequency of use; and

**WHEREAS**, OPD continues to rely on its two helicopters for operations support and the training helicopter for training purposes; and

**WHEREAS**, OPD advertised a Request for Quote (RFQ) for helicopter maintenance services, on February 27, 2024 which closed on March 18, 2024; and

**WHEREAS**, the RSI was the sole responder to the RFQ for comprehensive helicopter maintenance; and

**WHEREAS**, RSI is able to provide all the labor, personnel, material, tools, and supplies necessary to maintain OPD's helicopter fleet on an on-call, as-needed basis; and

**WHEREAS**, RSI has a valid Federal Aviation Administration (FAA) repair station certificate, and can offer a full staff of FAA certified airframe and powerplant (A&P) mechanics with factory training and recurrent training on the relevant OPD equipment; and

**WHEREAS**, the Local Business Enterprise/Small Local Business Enterprise ("LBE/SLBE") Program (Ordinance No. 13647 C.M.S.) requires a minimum 50-percent (50%) and participation for all professional service contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified businesses listed in the industry, trade, or profession that constitutes a major category of work; and if at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one LBE/SLBE is certified and available; and

**WHEREAS**, RSI, located in Fillmore, California, does not meet the City of Oakland's fifty-percent (50%) minimum participation requirement for professional services contracts of \$100,000 or more associated with the LBE/SLBE) Programs; and

**WHEREAS**, the City Council may waive the City's LBE/SLBE program requirements if it is in the best interests of the City to do so; and

**WHEREAS**, staff also recommends that City Council waive the LBE/SLBE requirements due to the fact Cobalt Equipment is based in Fillmore (southern California); and

**WHEREAS**, OPD is requesting for additional spending authority for a contract with RSI for up to \$850,000 per year for a two-year contract. Funding for this spending authority will be added into OPD's baseline for FY 2024-2026 budget, increasing OPD's budget baseline annually by \$850,000 for two years to cover the contract term. Funding will be paid from the following funding codes: Fund: 1010 - General Fund: General Purpose, Organization: 107710 -

Special Operations, Project: Project to be determined, and Program: PS13 – Special Operations; and

**WHEREAS**, the City Administrator has determined, through information provided by staff, that any services agreement authorized by this Resolution is 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; now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to enter into a professional services agreement with Rotorcraft Support, Inc. (RSI) to provide helicopter maintenance services to the OPD for the period of July 1, 2024 to June 30, 2026 in an amount not to exceed eight hundred and fifty thousand dollars (\$850,000) per year, for a total contract not to one million and seven hundred thousand dollars (\$1,700,000); and be it

**FURTHER RESOLVED:** That the City Council hereby adjusts the Baseline GPF budget for OPD by \$850,000 annually to cover the amount needed for the contract term; and be it

**FURTHER RESOLVED:** That the City Administrator 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 without returning to the City Council; and be it

**FURTHER RESOLVED:** That for the reasons stated above and, in the report accompanying this legislation, the City Council waives the LBE/SBE Program Provisions for the proposed Professional Services Agreement with RSI; and be it


**FURTHER RESOLVED:** That the City Attorney shall review and approve said contract with RSI 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, **JUN 18 2024**

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS - 8

NOES - 0  
ABSENT - 0  
ABSTENTION - 0

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