



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAR 27 PM 12:41

CITY OF OAKLAND

AGENDA REPORT

TO: FRED BLACKWELL,
CITY ADMINISTRATOR

FROM: David McPherson,
Revenue & Tax Administrator

SUBJECT: Parking Garages
Technical Budget Adjustments

DATE: April 8, 2014

City Administrator

Date:

Approval:

3/15/14

Council District: City-Wide

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution authorizing the City Administrator to (1) Increase Operating Revenues in the Multipurpose Reserve Fund (1750) by \$1,986,000; and (2) Authorize an Appropriation of \$1,986,000, from the Multipurpose Reserve Fund (1750) for Contract Expenses for the Management of the City Center Garage, and the University of California Office of the President ("UCOP") Garage and (3) Create Spending Authority in an amount not to exceed \$240,000 (\$80,000 per year for 3 years), to fulfill Contractual Fiscal Responsibilities for the Scheidt & Bachmann USA Inc., Agreement from October 1, 2013 through September 20, 2016 for the Maintenance and Service of the Parking Access and Revenue Control System (PARCS)

OUTCOME

Adoption of the attached resolution will establish the necessary spending authority required for the continued operation of the City Center West Garage and the University of California Office of the President Garage and for the City to continue fulfilling its contractual fiscal responsibilities through the end of Fiscal Year 2015. Furthermore, adoption of the attached resolution will establish the spending authority necessary to fulfill contractual fiscal responsibilities through September 2016, for maintenance and service of the City's Scheidt & Bachmann parking access and revenue control system (PARCS) used at seven of the City's parking facilities.

BACKGROUND/LEGISLATIVE HISTORY

Parking Garage Management

In May 1998, the Oakland Redevelopment Agency ("ORA") entered into contracts with CMA Asset Managers Inc., for the management of the City Center West Garage. In December 1999, the

Item: _____
Finance and Management Committee
April 8, 2014

ORA entered into contracts with Douglas Parking for the management of the UCOP Garage. In January of 2012 due to AB26 1x, the ORA was dissolved and management of ORA owned garages was transferred to the City of Oakland. The fiscal operations of these Garages were housed within the Multipurpose Reserve Fund alongside the City of Oakland's other operating parking garages.

At the June 27, 2013 special meeting of the Oakland City Council, the Council approved Resolution 84466 adopting the FY 2013-15 Policy Budget ("Budget"). The adopted Budget appropriated funds in the Multipurpose Reserve Fund, which is used (among other functions) to manage City owned parking garages. The adopted Budget did not capture full spending authority or gross revenue for these two garages. It instead only captured the net revenue accruing to the fund from each garage. Thus, the FY 2013-15 adopted Budget understated both the revenues and expenditures related to these garages by an equal amount and does not authorize sufficient spending authority for operation of these garages for the entirety of the fiscal year.

Maintenance and Service of PARCS

At the October 1, 2013 regular meeting of the Oakland City Council, the City Council adopted resolution 84686 C.M.S., (attached hereto as Attachment A) authorizing the City Administrator to enter into a Maintenance and Service Agreement with Scheidt & Bachmann USA, Inc., ("Agreement") in support of the parking access and revenue control system used at seven of the City's parking garages. The term of the agreement is from October 1, 2013 through September 30, 2016. While the staff report published with the adopted resolution (attached hereto as Attachment B) noted that funds for the Agreement were available in the Administrative Services Division, Multipurpose Reserve Fund (Fund 1750), Parking Meter Operations Org. (08931), Miscellaneous Contract Account (54919), Non-Project (0000000), Parking Management Program (IP60); and while sufficient funds to fund the Agreement were appropriated to 1750.08931.54949.0000000.IP60 when the Budget was adopted, the funding source for the Agreement was not noted in the adopted Resolution, thus spending authority was not authorized when Resolution 84686 C.M.S was adopted.

ANALYSIS

Parking Garage Management

The FY 2013-14 and FY 2014-15 budgets in the Multipurpose Reserve Fund do not include \$1,808,000 in contract expenses for the management of the City Center West Garage or \$177,500 for the management of the UCOP Garage. The FY 2013-15 revenue arising from the City Center West Garage was budgeted at \$685,507 and the revenue arising from the UCOP Garage was budgeted at \$109,655.

The budgeted revenue reflects the net revenue (revenue minus expenses) received from the operations of the City Center West Garage and the UCOP Garage, rather than the gross revenue generated. The FY 2013-15 revenue arising from the City Center West Garage, should be

budgeted at \$2,494,007, and the revenue arising from the UCOP Garage, should be budgeted at \$287,155.

In order to properly account for all revenues received and provide spending authority for all expenses incurred, both values should be adjusted upward by \$1,808,500 for the City Center West Garage and \$177,500 for the UCOP Garage. There is no anticipated impact on the operations and fiscal health of the multipurpose reserve as estimated revenues and expenditures are being increased in the same amount.

Management and Service of PARCS

Adopted Resolution 84646 C.M.S. does not provide the spending authority required for the City to fulfill its fiscal obligation concerning the executed Agreement between Scheldt & Bachmann USA, Inc., and the City. While sufficient funding is available in the FY 2013-15 Budget for the Administrative Services Division, Multipurpose Reserve Fund (Fund 1750), Parking Meter Operations Org. (08931), Miscellaneous Contract Account (54919), Non-Project (0000000), Parking Management Program (IP60), the adopted Resolution did not tie the funding source to the Agreement. In order for the City to fulfill its contractual fiscal obligation, it is necessary for the City Council to adopt a resolution authorizing spending authority in an amount not to exceed \$240,000 (\$80,000 per year for three years) for the executed Scheldt & Bachmann USA, Inc., Agreement.

PUBLIC OUTREACH/INTERESTS

This item does not require any additional public outreach.

COORDINATION

This report was prepared in coordination between the Administrative Services Department, Public Works, City Administrator Budget Office, and the City Attorney's Office.

COST SUMMARY/IMPLICATIONS

Parking Garage Management

This action has negligible fiscal impact, as increase appropriations are fully and exactly offset by increased revenues.

Maintenance and Service of PARCS

There are sufficient funds available in the FY 2013-15 Budget, for the Administrative Services Division, Multipurpose Reserve Fund (Fund 1750), Parking Meter Operations Org. (08931), Miscellaneous Contract Account (54919), Non-Project (0000000), Parking Management Program (IP60) to provide full spending authority for the Scheldt & Bachmann Agreement.

SUSTAINABLE OPPORTUNITIES


Economic: No direct economic opportunities have been identified.

Environmental: No direct environmental opportunities have been identified.

Social Equity: No social equity opportunities have been identified.

For questions regarding this report, please contact David McPherson, Revenue and Tax Administrator, at 510-238-6650.

Respectfully submitted,



David McPherson,
Revenue & Tax Administrator

Prepared by:
Bradley Johnson,
Assistant to the City Administrator

Margaret O'Brien
Principal Revenue Analyst

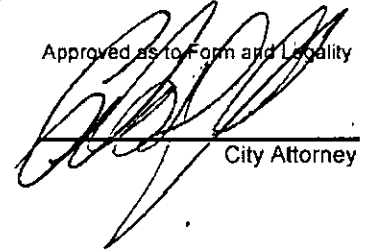
Attachments: Multipurpose Fund Budget Adjustment
Resolution
Attachment A, Resolution 84646
Attachment B, Scheldt & Bachmann staff report dated 8/2/2013

Attachment A

Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2019 SEP 12 PM 3:25

RESOLUTION No. 84646 C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/ QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A MAINTENANCE AND SERVICE AGREEMENT WITH SCHEIDT AND BACHMANN USA, INC. IN SUPPORT OF THE PARKING ACCESS AND REVENUE CONTROL SYSTEM USED AT SEVEN CITY PARKING GARAGES FOR A PERIOD OF THREE YEARS AT A TOTAL CONTRACT COST OF \$240,000 (\$80,000.00 PER YEAR X 3 YEARS)

WHEREAS, the City of Oakland wishes to enter into an agreement with Scheidt & Bachmann USA, Inc. to provide maintenance and service on the City's Scheidt & Bachmann parking access and revenue control system (PARCS) used at seven of the City's parking facilities; and

WHEREAS, the City was informed when it purchased its Scheidt & Bachmann PARCS that such an agreement would be necessary after the initial 1-year warranty that came with the system expired;

WHEREAS, the City recognizes that the same professional services and warranties cannot be provided by any other company at a comparable cost; and

WHEREAS, the City finds that Scheidt & Bachmann USA, Inc. negotiated the terms of the maintenance and service agreement in good faith and met all of the City's specifications; and

WHEREAS, Oakland Municipal Code (OMC) section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or combination thereof required by the City which exceeds \$50,000.00; and

WHEREAS, OMC section 2.04.050 1. 5 permits the Council to waive these requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, OMC section 2.04.051.A requires staff to conduct a competitive RFP/Q selection process for the procurement of professional services; and

WHEREAS, OMC section 2.04.051.B authorizes the City Council to waive the RFP/Q requirement upon a finding that it is in the best interests of the City to do so; and

WHEREAS, the City Council finds that this agreement is for services of a professional nature; and

WHEREAS, the City Council finds that services under contract will be temporary; and

Exhibit A

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

RESOLVED, that the City Council finds and determines that pursuant to Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B, that it is in the best interests of the City to waive the advertising, competitive bidding, and competitive RFP/Q process for products, replacement parts and services to be purchased under the proposed agreement because: 1) the Department of Information Technology continues to view the Scheidt & Bachmann PARCS as a turn-key system and, therefore, the necessary support services for the system should be provided by Scheidt & Bachmann; 2) that there is no alternative service provider in the local market that is capable of supporting the system; and 3) that the cost of using Scheidt and Bachmann to support the system on a "time and materials" (T&M) basis would be unpredictable and likely to lead to additional costs including loss of additional revenues and poor customer service due to lack of timely support; therefore, the City Council hereby authorizes the waiver of the OMC advertising, bidding and RFP/Q competitive selection requirements; and be it

FURTHER RESOLVED, that the City Administrator or designee is authorized to enter into a maintenance and service agreement with Scheidt & Bachmann USA, Inc. for a period of three years at a cost of \$240,000 to be paid quarterly; and be it

FURTHER RESOLVED, that the City Attorney shall review and approve the proposed contract as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

OCT - 1 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, ~~HAAS~~, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES -

ABSENT -

ABSTENTION -

Excused - Reid - 1

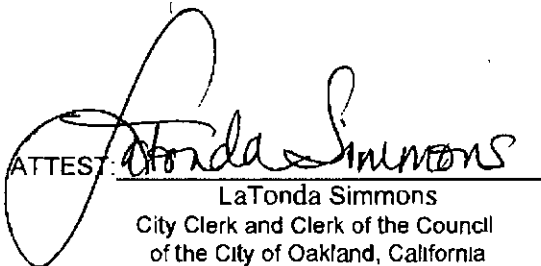
ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A



AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Brooke A. Levin
Interim Director, PWA

SUBJECT: Maintenance and Services Agreement
with Scheldt & Bachmann USA, Inc.

DATE: August 2, 2013

City Administrator
Approval

Date

9/11/13

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council waive the Competitive Request for Proposals/Qualifications (RFP/Q) Process, the advertising and bidding requirements and authorize the City Administrator or designee to enter into a Maintenance and Service Agreement with Scheidt & Bachmann USA, Inc. in support of the parking access and revenue control system at seven City garages for the total contract amount of \$240,000 for a period of three years (\$80,000.00 per year X 3 years).

OUTCOME

This Maintenance and Services Agreement will provide for ongoing preventative maintenance, on-call Services and replacement parts for the City's parking access and revenue control system installed at seven City parking facilities in 2011-12. Approval of the resolution will enable City staff to execute a sole-source Maintenance and Services Agreement with Scheldt & Bachmann USA, Inc.

BACKGROUND/LEGISLATIVE HISTORY

In 2010, Council passed a resolution authorizing the City Administrator to negotiate and execute a contract between Scheldt and Bachmann USA, Inc. to provide a parking access and revenue control system (PARCS) for seven of the City's parking garages at a cost of \$2,500,000. Installation of the system subsequently took place between November 2011 and June 2012. The cost of the original contract included a 1-year warranty that covered all replacement parts and labor for regular maintenance and on-call service.

Staff understood that it would be necessary to find a long-term solution for properly maintaining and servicing the system after the expiration of the original warranty. A request for authorization

Item: _____
Public Works Committee
September 24, 2013

Exhibit B

to enter into an extended agreement was not made in 2010 as staff needed time to evaluate alternatives and establish the basis for an informed recommendation.

ANALYSIS

As the expiration of the 1-year warranty approached, Scheldt & Bachmann offered the City a 3-year maintenance agreement at a cost of \$80,000/year. Among other things, staff took exception to the fact that the agreement did not cover replacement parts. This being the case, staff proceeded to evaluate other alternatives.

As a result, staff made the following determinations: 1) that the City continues to view the Scheldt & Bachmann PARCS as a turn-key system and, therefore, the necessary support services for the system should be provided by Scheldt & Bachmann; 2) that there is no alternative service provider in the local market that is capable of supporting the system; and 3) that the cost of using Scheldt and Bachmann to support the system on a "time and materials" (T&M) basis would be unpredictable and likely lead to additional costs, including loss of additional revenues and poor customer service due to lack of timely support.

Given these facts, staff entered into negotiations with Scheldt & Bachmann to secure an extended agreement that would effectively continue the original warranty of the system for an additional three years. As a result, Scheldt & Bachmann revised their original proposal to include replacement parts and to address other issues while maintaining the \$80,000 per year price.

Oakland Municipal Code (OMC) Section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or combination thereof required by the City which exceeds \$50,000.00. However, OMC Section 2.04.050 I. 5 permits the Council to waive these requirements upon a finding and determination that it is in the best interests of the City to do so. Additionally, OMC Section 2.04.051 A requires the City to conduct an RFP/Q prior to the purchase of professional services unless this requirement is waived under OMC Section 2.04.051 B upon a finding by the City Council or its designee that it is in the best interests of the City to do so.

Staff recommends that, based on the reasons and circumstances set forth above, the Council pursuant to OMC Section 2.04.50 I.5 and Section 2.04.051 B, respectively, finds and determines that it is in the best interests of the City to waive the formal advertising, competitive bidding, and the RFP/Q requirements and authorize the City Administrator, or her designee, to negotiate and enter into an agreement with Scheldt & Bachmann.

Item: _____
Public Works Committee
September 24, 2013

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PUBLIC OUTREACH/INTEREST

No public outreach was necessary as this is a routine agreement for the maintenance and service of a turnkey parking access and revenue control system sold and supported by Scheldt & Bachmann USA, Inc. The present agreement is for a three-year period and, assuming there are no other available options in the future, will likely continue.

COORDINATION

The Transportation Services Division consulted with the Finance and Management Agency, Department of Information Technology, City Attorney's Office, Budget Office, and City Administrator's Office in negotiating the terms of the Maintenance and Services Agreement and in writing this report.

COST SUMMARY/IMPLICATIONS

1. COST OF AGREEMENT:

Total costs for three year agreement are \$240,000 (\$80,000.00 per year x 3 years) to be paid quarterly.

2. COST ELEMENTS OF AGREEMENT:

Combined costs of replacement parts, regular maintenance and on-call service are \$240,000.

3. SOURCE OF FUNDING:

Funds are available from Finance and Management Agency, Revenue Division, Multipurpose Reserve Fund (1750), Parking Meter Operations Org (08931), Miscellaneous Contract Account (54919), Non-Project (0000000), Parking Management Program (IP60).

4. FISCAL IMPACT:

The total contract cost of \$240,000 is within the available budget for parking garage management.

Item: _____
Public Works Committee
September 24, 2013

Exhibit B

SUSTAINABLE OPPORTUNITIES

Economic: Not applicable.

Environmental: Maintaining the parking control systems in good repair will ensure reduced queuing in City garages, thereby reducing vehicular emissions.

Social Equity: Not applicable.

For questions regarding this report, please contact Michael Ford, Transportation Services Division, at (510) 238-7670.

Respectfully submitted,



BROOKE A. LEVIN
Interim Director, Public Works Agency

Reviewed by:
Mike Neary, Assistant Director

Reviewed by:
Wladimir Wlassowsky, P. E.
Transportation Services Division Manager

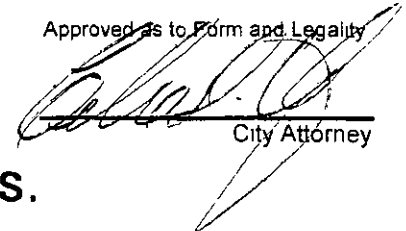
Prepared by:
Michael Ford, Parking Garage Management
Transportation Services Division

Attachments – Maintenance Services Agreement by and between Scheidt & Bachmann USA, Inc., Contractor, and City of Oakland

Item: _____
Public Works Committee
September 24, 2013

Scheidt B

OAKLAND CITY COUNCIL



City Attorney

2014 MAR 27 PM 12:42

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO (1) INCREASE OPERATING REVENUES IN THE MULTIPURPOSE RESERVE FUND (FUND 1750) ONE MILLION NINE HUNDRED EIGHTY-SIX DOLLARS (\$1,986,000); (2) AUTHORIZE AN APPROPRIATION OF ONE MILLION NINE HUNDRED EIGHTY-SIX DOLLARS (\$1,986,000) FROM THE MULTIPURPOSE RESERVE FUND (FUND 1750), FOR CONTRACT EXPENSES FOR THE MANAGEMENT OF THE CITY CENTER GARAGE AND THE UNIVERSITY OF CALIFORNIA OFFICE OF THE PRESIDENT GARAGE; AND (3) ESTABLISH SPENDING AUTHORITY IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000) (\$80,000 PER YEAR FOR 3 YEARS), TO FULFILL CONTRACTUAL FISCAL RESPONSIBILITIES FOR THE SCHEIDT & BACHMANN USA INC., AGREEMENT FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2016, FOR THE MAINTENANCE AND SERVICE OF THE PARKING ACCESS AND REVENUE CONTROL SYSTEM.

WHEREAS, in May 1998, the Oakland Redevelopment Agency (“ORA”) entered into contracts with CMA Asset Management Inc., for the management of the City Center West Garage; and

WHEREAS, in December 1999, ORA entered into contracts with Douglas Parking for the management of the UCOP Garage; and

WHEREAS, in January 2012, due to AB26 1x, ORA was dissolved and management of ORA owned garages was transferred to the City, with the fiscal operations of the garages housed within the Multipurpose Reserve Fund (Fund 1750); and

WHEREAS, at the June 27, 2013 special meeting of the Oakland City Council, the Council approved Resolution 84466 adopting the FY 2013-15 Policy Budget (“Budget”) and, as part of the Budget, appropriated funds in the Multipurpose Reserve Fund to manage City owned parking garages; and

WHEREAS, the adopted Budget did not capture full spending authority or gross revenue for these two garages, instead only capturing net revenue from each garage, thus the Budget understates both revenue and expenditures of activities related to these two garages; and

WHEREAS, in order to properly account for all revenues received and provide spending authority for all expenses incurred, both values should be adjusted upward by \$1,986,00; and

WHEREAS, There is no anticipated impact on the operations and fiscal health of the multipurpose reserve as estimated revenues and expenditures are being increased in the same amount; and

WHEREAS, at the October 1, 2013 regular meeting of the Oakland City Council, the City Council adopted Resolution 84686 C.M.S., authorizing the City Administrator to enter into a Maintenance and Service Agreement with Scheidt & Bachmann USA, Inc., ("Agreement") in support of the parking access and revenue control system ("PARCS") used at seven of the City's parking garages; and

WHEREAS, while the staff report published with Resolution 84686 C.M.S. noted that funds for the Agreement were available in the Administrative Services Division, Multipurpose Reserve Fund (Fund 1750), Parking Meter Operations Org. (08931), Miscellaneous Contract Account (54919), Non-Project (0000000), Parking Management Program (IP60), and appropriated when the Budget was adopted, the funding source for the Agreement was not noted in the resolution, thus spending authority was not authorized when Resolution 84686 C.M.S was adopted; and

WHEREAS, in order for the City to fulfill its contractual fiscal obligation, it is necessary for the City Council to adopt a resolution authorizing spending authority in an amount not to exceed \$240,000 (\$80,000 per year for three years) for the executed Scheldt & Bachmann USA, Inc., Agreement; now, therefore, be it

RESOLVED: That by adoption of this Resolution, the City Council of the City of Oakland hereby authorizes the City Administrator to increase operating revenues in the Multipurpose Reserve Fund (Fund 1750) One Million Nine Hundred Eighty-Six Dollars (\$1,986,000) and authorize the City Administrator to appropriate One Million Nine Hundred Eighty-Six Dollars (\$1,986,000) from the Multipurpose Reserve Fund (Fund 1750), for contract expenses for the management of the City Center Garage and University of California President Garage; and be it further

RESOLVED: That the City Council of the City of Oakland authorizes the City Administrator to establish spending authority in an amount not to exceed Two Hundred Forty Thousand Dollars (\$240,000) (\$80,000 per year for 3 years), to fulfill contractual fiscal responsibilities from October 1, 2013 through September 30, 2016, with Scheidt & and Bachmann USA, Inc., for the maintenance and service of the Parking Access and Revenue Control System.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

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