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Approved as to Form and Legality

CLERK

Farrak Hussein
Farrak Hussein (Feb 18, 2025 16:03 PST)

City Attorney's Office

OAKLAND CITY COUNCIL

9065 1
RESOLUTION NO. _____ C.M.S.

STAFF RECOMMENDS THAT THE CITY COUNCIL ADOPT A RESOLUTION (A) AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE A THREE-YEAR AGREEMENT WITH IPS GROUP INC. FOR PARKING METERS, REPAIR PARTS, COMMUNICATION AND TRANSACTION FEES, RELATED SERVICES AND A CONTINGENCY OF TEN PERCENT (10%) IN THE AMOUNT OF \$2,748,530 IN YEAR ONE, \$2,542,129 IN YEAR TWO AND \$2,680,846 IN YEAR THREE, FOR A THREE-YEAR TOTAL NOT TO EXCEED AMOUNT OF \$7,971,504; (B) AUTHORIZING A ONE-TIME PAYMENT IN THE AMOUNT OF \$224,013.73 TO PAY OUTSTANDING IPS INVOICES; (C) WAIVING THE REQUEST FOR QUALIFICATIONS/PROPOSALS COMPETITIVE SELECTION REQUIREMENT; AND (D) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, Oakland Municipal Code (OMC) Title 10, Chapter 10 36, Article 10 36 140 clarifies and comprehensively sets forth parking meter zones throughout the City of Oakland, with said legislation aligned with the California Vehicle Code which requires local authorities to establish parking meter zones; and

WHEREAS, OMC Title 2, Chapter 2, Article I, Section 2. 04. 051 require staff to conduct a competitive Request for Proposal/Qualification (RFP/Q) selection process for the procurement of professional services; and

WHEREAS, OMC Title 2, Chapter 2, Article I, Section 2. 04. 050 requires formal advertising and competitive bidding when the City purchases services, supplies or a combination thereof that exceeds \$250,000.00; and

WHEREAS, OMC Title 2, Chapter 2, Article I, Section 2. 04. 050 I 5 permits the Council to waive formal advertising and competitive bidding upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, IPS is a sole-source provider and that switching vendors would result in significant costs and operational disruption; and

WHEREAS, a competitive process was undertaken in 2013 and IPS Group, Inc (IPS) was evaluated and deemed as the most qualified and cost-effective vendor, and was subsequently selected as the prime contractor for a Parking Meter Management System; and

WHEREAS, since then IPS has continued to provide the City with new meters, replacement parts, communications, maintenance and related services under the original agreement and several additional cooperative agreements; and

WHEREAS, in 2023 IPS responded to a competitive process and executed an agreement with Sourcewell that includes a scope of services and updated pricing that could be used for a new agreement with the City; and

WHEREAS, the City of Oakland, through the Oakland Department of Transportation, seeks to enter into a new Professional Services Agreement with IPS Group, Inc for a three-year period commencing during calendar year 2025; and

WHEREAS, the proposed legislation seeks authorization for the City Administrator, or his designee, to execute a Professional Services Agreement for a period of three-years and with a total note to exceed amount of \$7,971,504, which includes a contingency amount of ten percent; and

WHEREAS, the proposed contract amount includes capacity to purchase up to forty number multi-space parking meters using grant funds, which will result in over three-hundred new metered parking spaces; and

WHEREAS, invoices for services provided by IPS in Fiscal Year 2023-2024 in the amount of approximately \$224,000 are outstanding due to changes in the City's procurement policies that limit the City Administration's ability to enter into cooperative agreements; and

WHEREAS, the parking meter system incurs other expenses including credit card processing fees and miscellaneous supplies, which should be adjusted to account for expanding meter services; now, therefore, be it

RESOLVED: That the City Administrator or his designee is authorized to execute a three-year professional services agreement with IPS Group Inc. for parking meters, repair parts, communication and transaction fees, related services and a contingency of ten percent (10%) in the amount of \$2,748,530 in year one, \$2,542,129 in year two and \$2,680,846 in year three, for a three-year total tot to exceed amount of \$7,971,504; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to make a one-time payment in the amount of \$224,013.73 to pay outstanding IPS Invoices; and be it

FURTHER RESOLVED: That pursuant to OMC Section 2.04.051.B, the Council hereby finds and determines that it is in the best interests of the City to waive the competitive

RFQ/P competitive selection requirements for the above purchase expenditures because there would be no delay or disruption of service; and be it

FURTHER RESOLVED: That the City Council hereby finds and determines that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: 15061(b)(3) and 15378(b)(4) and (5), as they involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment 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 the City Administrator is hereby authorized to execute any amendments or modifications to said agreement with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office, without returning to City Council.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2025

PASSED BY THE FOLLOWING VOTE:

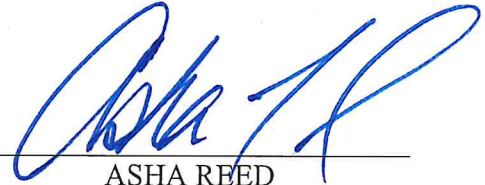
AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO - 7

NOES -

ABSENT -- COUNCIL MEMBER 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