

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- (1) APPROVING ONGOING COOPERATIVE PURCHASE AGREEMENTS EXCEEDING \$250,000 FOR OAKLAND PUBLIC WORKS, BUREAU OF MAINTENANCE AND INTERNAL SERVICES (FACILITIES SERVICES DIVISION) COMMODITIES AND SERVICES CONTRACTS AS SET FORTH IN TABLE 1 IN AN AMOUNT NOT TO EXCEED THREE MILLION FIVE HUNDRED THOUSAND (\$3,500,000) DOLLARS; AND**
- (2) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

WHEREAS, the Facilities Services Division (FSD) of Oakland Public Works (OPW) is responsible for performing preventive maintenance of equipment, infrastructure and/or building components of over 300 City facilities and properties citywide. Preventive maintenance consists of conducting inspections and assessment, cleaning, maintenance, service and repair of said equipment, infrastructure and/or building components to ensure life safety standards for users including staff and the public at City facilities or properties; and

WHEREAS, to support the essential and required critical preventative maintenance of equipment, infrastructure and/or building/facility components, the division must procure commodities and service from various vendors to remain in compliance with local and state codes and regulations, and ensure services are continuous and uninterrupted and, it is essential the City maintain valid contracts with sufficient capacity for use at any time; and

WHEREAS, without the ability to conduct essential and required preventative maintenance utilizing the procurement of these commodities and services through Cooperative Agreement contracts the City would be subject to significant liability and forced to shut down and/or close non-compliant facilities and properties used by City staff, residents of Oakland, and the public; and

WHEREAS, Oakland Municipal Code (OMC) § 2.04.080 provides that “[w]here advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process [...] without further contracting,

solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

WHEREAS, per Oakland Municipal Code (OMC) 2.04.030 the City Council may award any purchase orders or contracts in excess of City Administrator’s Authority; and

WHEREAS, the City Council passed Resolution 89845 C.M.S. on July 18, 2023, Resolution 90007 C.M.S. on December 5, 2023, Resolution 90154 C.M.S. on March 19, 2024, Resolution 90212 C.M.S. on May 7, 2024, and Resolution 90704 C.M.S approving ongoing cooperative agreements exceeding \$250,000 for commodities and services contracts; and

WHEREAS, the Oakland Public Works, Bureau of Maintenance and Internal Services (Sewer Division) has since identified three essential cooperative agreement contracts (listed on **Table 1**) that were competitively awarded by another governmental entity or public agency in compliance with OMC § 2.04.080 and that now require capacity increase for City Council’s consideration; and

WHEREAS, staff seeks City Council approval pursuant to OMC § 2.04.030 of the ongoing cooperative agreements set forth in **Table 1**, which exceed \$250,000 in value, as listed in **Table 1**, for the purpose of increasing the value of contracts by an amount not to exceed three million five hundred thousand (**\$3,500,000**) dollars for a total potential maximum contract value of five million four hundred and fifty thousand (\$5,450,00) dollars as set forth in **Table 1**; and

WHEREAS, there is no minimum commitment to any awarded contract and thus the maximum potential contract value may not be reached, funds will not be committed beforehand unless funding is identified, and the contractor will have the right to accept or reject any proposed contract extension; and

WHEREAS, the contracts will be funded primarily by Fund 4400 (Facilities Service Fund), Organization (TBD), Project (TBD), Program (TBD) and other funding from various specified requesting Departments, for the next two fiscal years from FY25-26 to FY26-27 and the funding and use of these contracts is subject to the availability of Council authorized appropriations and Budget Office’s funding availability analysis performed at the time a standard purchase order request submission or before funds are encumbered; and

WHEREAS, staff recommends that the City Council adopt a resolution approving ongoing cooperative purchase agreements exceeding \$250,000 for Facilities Services Division commodities and services contracts as set forth in **Table 1** in an amount not to exceed three million five hundred

thousand (**\$3,500,000**) dollars, and adopting appropriate California Environmental Quality Act (CEQA) findings; now, therefore, be it

RESOLVED: That the City Council approves and to the extent necessary awards the ongoing cooperative purchase agreements exceeding \$250,000 for commodities and services set forth in **Table 1**, for an amount not to exceed those amounts listed in **Table 1**, pursuant to OMC § 2.04.030(a); and be it

FURTHER RESOLVED: That the agreements and the action being undertaken to implement them are exempt from the California Environmental Quality Act (CEQA) under the following CEQA Guideline Sections: Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15301 (existing facilities); Section 15307 (protection of natural resources); Section 15308 (protection of the environment); and Section 15309 (inspections), 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 or their designee is authorized to increase the value of the ongoing cooperative purchase agreements exceeding \$250,000 for commodities and services as set forth in **Table 1**, for an amount not to exceed three million five hundred thousand (**\$3,500,000**), pursuant to OMC § 2.04.030(a); and be it

FURTHER RESOLVED: That City Administrator must report back to Council on any contract adjustments and any further increases beyond this amount require additional Council approval; and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to complete all required negotiations, execute agreements, and take any other action consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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

**Table 1, Proposed Oakland Public Works, Bureau of Maintenance and Internal Services
(Sewer Division) Ongoing Cooperative Agreements to Increase Contract Value**

Contract No.	Supplier	Original Contract Amount	Expires	Used Amount	Balance	Increased Proposed	New Proposed Contract Value	Services/Commodities Provided
2025001432	Chain Link Fence	250,000.00	4/25/2027	\$246,980	\$3,020	\$1,000,000	\$1,250,000	Fence and Security Supplies/Materials Repair
2024007658	Johnson Controls	250,000.00	4/22/2026	\$241,913	\$8,087	\$500,000	\$750,000	Fire and Security Alarm Panel and System Controls Supplies/Materials, Service and Repairs
2023002207	KONE INC	1,200,000.00	9/30/2027	\$1,185,147	\$14,853	\$1,500,000	\$2,700,000	Elevator Supplies/Materials, Service and Repair
2025009062	Sentry Alarm	250,000.00	4/21/2026	\$125,740	\$124,259	\$500,000	\$750,000	Fire and Security Alarm Panel and System Controls Supplies/Materials, Services and Repair
Total		\$1,950,000		\$1,799,780	\$150,219	\$3,500,000	\$5,450,000	