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OAKLAND

2018 NOV 20 PM 12:43

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Jason Mitchell
Director, Public Works

SUBJECT: Contract for Upgrades and Repairs of
Fire Apparatus Exhaust Systems

DATE: October 31, 2018

City Administrator Approval

Date:

11/20/18

RECOMMENDATION

Staff Recommends That City Council Adopt The Following:

Resolution Authorizing: (1) The City Administrator Or Designee To Enter Into A One-Year Professional Services Agreement With Beecher Emission Solution Technologies, LLC, (Doing Business As Ward Diesel Filter Systems) For An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000.00) Annually For The Period Of January 1, 2019 Through December 31, 2019 For Upgrades And Repairs Of The Exhaust Systems Of Fire Department Emergency Response Vehicles; With Two One-Year Options To Extend, For A Grand Total Contract Amount Of Forty-Five Thousand Dollars (\$45,000.00), Without Returning To Council, And (2) Waiving The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements.

EXECUTIVE SUMMARY

Oakland Public Works' Bureau of Maintenance & Internal Services (BMIS), Equipment Services Division, maintains responsibility for the maintenance and repair of all City of Oakland vehicles, trucks and heavy equipment. Most routine and emergency maintenance and repairs of said items is facilitated by staff within the Division. However, certain specialty upgrades, repairs and parts can only be accomplished through use of manufacturer-certified external service providers.

To this extent, Oakland Public Works (OPW) seeks authorization to enter into a one-year professional services agreement with Ward Diesel Filter Systems for an amount not to exceed \$15,000.00 annually for the period of January 1, 2019 through December 31, 2019 for repairs and upgrades of the exhaust systems of Oakland Fire Department (OFD) emergency response vehicles; with two additional one-year agreement extensions with the subject vendor; for a cumulative contractual allocation in an amount not to exceed \$45,000.00.

Further, OPW requests authorization of a waiver of the advertising, competitive bidding and Request for Proposal/Qualifications (RFP/Q) requirements associated with said agreement(s).

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Public Works Committee
December 4, 2018

BACKGROUND / LEGISLATIVE HISTORY

It is the role and responsibility of city government to deliver services as effectively and efficiently as possible. To fulfill this mission, City staff must have a dependable fleet. Municipal fleets provide a variety of services to residents. The ability to provide services in an effective and efficient manner is in many ways dependent upon a quality fleet of vehicles and other equipment.

OPW's Equipment Services Division oversees all of Oakland's fleet management services; encompassing the acquisition, maintenance and repair of more than 1,800¹ vehicles, trucks and other equipment, inclusive of the Oakland Fire Department's forty-seven (47) fire trucks (ladders and engines).

ANALYSIS AND POLICY ALTERNATIVES

Despite decades of environmental air quality progress, residents throughout the greater Oakland/San Francisco Bay Area still breathe some of the most polluted air in the nation; with approximately 70-percent of residents living in areas with unhealthy air. Numerous scientific studies have linked air pollution to lung cancer; worsening asthma attacks; heart attacks; strokes; early death, as well as increased hospitalizations for breathing problems.

In May 2003, OPW authored and sought formal City Council ratification of the City's first "Green Fleet" legislation (Resolution No. 77842 C.M.S.), which was designed to reduce the overall negative environmental impacts of the City of Oakland's fleet - in keeping with the basic tenets of the Clean Air Act. In many ways, OPW has led the way towards the City of Oakland improving upon its jurisdictional air quality by promoting policy initiatives like "Green Fleet". In direct correlation to these efforts, OPW, in collaboration with OFD, again seeks to expand upon the City's positive environmental impact efforts through enhancement to the exhaust systems of the OFD's public safety vehicles.

Oakland Fire Department (OFD) diesel powered fire apparatuses are housed in fire stations throughout the City. Currently, a total of forty-seven (47) of these vehicles are outfitted with proprietary Ward Diesel Filter Systems; systems designed to capture harmful diesel exhaust while vehicles remain idling inside fire stations.

The negative environmental impacts of diesel fumes are well documented. Further, indoor air quality and standards are regulated and governed by the State of California's Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA). OPW's Equipment Services Division is mandated by Cal/OSHA to use and maintain proprietary Ward Diesel Filter Systems for all diesel-powered fire apparatuses.

¹ The amount of available City vehicles and equipment varies depending upon collisions and other damages, theft and replacement purchases throughout the year.

Contractual Justification: Beecher Emission Solution Technologies, LLC

Beecher Emission Solution Technologies, LLC is an industry leader in the development and implementation of innovative vehicle emissions and safety technologies for fire department vehicles and related equipment. The firm's proprietary Ward Diesel Filter Systems promote the "No-Smoke Diesel Exhaust System", which is utilized by fire departments throughout our nation.

Currently, the Beecher Emission Solution Technology's Ward Diesel Filter System is the only diesel-powered exhaust filtration system that conforms with both the Environmental Protection Agency's and Cal/OSHA-mandated environmental standards for diesel-powered vehicular exhaust systems.

Waiver Request and Justification

Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding for the procurement of goods, professional services, or a combination thereof. OMC Section 2.04.050.1.5 permits the Council to waive advertising and competitive bidding requirements upon a finding and determination that it is in the City's best interests to do so.

Staff recommends that based upon the information as stipulated and set forth above, that the City Council finds and determines that it is in the best interests of the City to waive the advertising and competitive bidding and RFP/Q requirements as they pertain to implementation of the proposed contractual services with Beecher Emission Solution Technologies, LLC, dba Ward Diesel Filter Systems.

FISCAL IMPACT

Proposed Professional Service Agreement
Beecher Emission Solution Technologies, LLC
For Ward Diesel Filter Systems

Project Year	Cumulative Contract Amount
2019	\$15,000.00
2020	\$15,000.00
2021	\$15,000.00
Grand Total:	\$45,000.00

Source of Project Funding

Funding for the proposed contract is available in the (FY) 2019 budget in Equipment Services Fund 4100; Equipment Services Administration Organization 30541; Repair and Maintenance Miscellaneous Account 54619; Administrative Project 1000010:DP300; Fleet Management and Maintenance Program IN01. For (FY) 2020-2021, contractual financial provisions will be contingent upon the availability of funding.

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PUBLIC OUTREACH / INTEREST

This item did not require additional public outreach other than the required posting on the City's website.

COORDINATION

Information that is the basis of this report was coordinated with Oakland Public Works' Bureau of Maintenance & Internal Services, the Oakland Fire Department, the Budget Bureau and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: Several studies have readily demonstrated that improving air quality has a positive effect on property values. Additionally, decreasing vehicle emissions will improve upon public health, which will likewise have positive effects on the economy.

Environmental: The proposed resolution will reduce emission of hazardous compounds that are linked to increased rates of cancer and asthma. The proposed resolution also contributes to the reduction in greenhouse gases, which most scientific bodies agree are major contributors to global warming.

Social Equity: The areas most affected by vehicle emissions are neighborhoods close to freeways and major transportation routes; areas which are usually comprised of residents of lower socio-economic standing. This resolution advances social equity by decreasing vehicle emissions in disadvantaged areas.

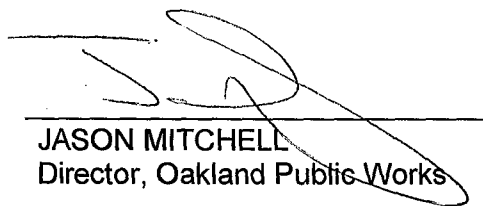
ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt the following:

Resolution authorizing: (1) the City Administrator or designee to enter into a one-year professional services agreement with Beecher Emission Solution Technologies, LLC, (doing business as Ward Diesel Filter Systems) for an amount not to exceed fifteen thousand dollars (\$15,000.00) annually for the period of January 1, 2019 through December 31, 2019 for upgrades and repairs of the exhaust systems of Fire Department emergency response vehicles; with two one-year options to extend, for a grand total contract amount of forty-five thousand dollars (\$45,000.00), without returning to Council, and (2) Waiving the advertising, competitive bidding and request for proposal/qualifications (RFP/Q) requirements.

For questions regarding this report, please contact Joseph Williams, Acting Equipment Services Manager at (510) 615-5489.

Respectfully submitted,



JASON MITCHELL
Director, Oakland Public Works

Reviewed by:
Richard Battersby, Interim Assistant Director
Bureau of Maintenance & Internal Services


Reviewed by:
Joseph Williams, Acting Equipment Servs. Mgr.
Bureau of Maintenance & Internal Services

Prepared by:
Candice Jessie, Management Assistant
Bureau of Maintenance & Internal Services

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Public Works Committee
December 4, 2018

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2018 NOV 20 PM 12:43 RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING: (1) THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH BEECHER EMISSION SOLUTION TECHNOLOGIES, LLC, (DOING BUSINESS AS WARD DIESEL FILTER SYSTEMS) FOR AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) ANNUALLY FOR THE PERIOD OF JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 FOR UPGRADES AND REPAIRS OF THE EXHAUST SYSTEMS OF FIRE DEPARTMENT EMERGENCY RESPONSE VEHICLES; WITH TWO ONE-YEAR OPTIONS TO EXTEND, FOR A GRAND TOTAL CONTRACT AMOUNT OF FORTY-FIVE THOUSAND DOLLARS (\$45,000.00), WITHOUT RETURNING TO COUNCIL, AND (2) WAIVING THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) REQUIREMENTS

WHEREAS, Oakland Public Works' Bureau of Maintenance & Internal Services seeks to enter into an agreement with Beecher Emission Solution Technologies, LLC for upgrades and repairs of the diesel-powered exhaust systems of Fire Department emergency response vehicles; and

WHEREAS, since May 2003, Oakland Public Works has steadfastly promoted improving upon Oakland's jurisdictional air quality by promoting policy initiatives such as the City's "Green Fleet" legislation, which was fully ratified by City Council through enactment of Authorizing Resolution No. 77842 C.M.S., dated June 3, 2003; and

WHEREAS, jurisdictional indoor air quality and standards are regulated and governed by the State of California's Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); and

WHEREAS, Beecher Emission Solution Technologies' Ward Diesel Filter System is the only diesel-powered exhaust filtration system that conforms with both the U.S. Environmental Protection Agency's and Cal/OSHA-mandated environmental standards for diesel-powered vehicular exhaust systems; and

WHEREAS, in keeping with environmental impact standards as set forth and enacted by the U.S. Environmental Protection Agency and Cal/OSHA, the City of Oakland is required to outfit and maintain all Fire Department diesel-powered vehicles using the proprietary Ward Diesel Filter System; and

WHEREAS, Oakland Public Works requests authorization to enter into an agreement with Beecher Emission Solution Technologies, LLC (DBA Ward Diesel Filter Systems) for an amount not to exceed \$15,000.00 annually for the period of January 1, 2019 through December 31, 2019 for upgrades and repairs of the exhaust systems of Fire Department emergency response vehicles; and

WHEREAS, staff also requests authorization for two one-year options to extend said agreement with Beecher Emission Solution Technologies, LLC, for a grand total contract amount not to exceed forty-five thousand dollars (\$45,000.00), without returning to Council; and

WHEREAS, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualifications (RFP/Q) selection process for the procurement of professional services; and

WHEREAS, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

WHEREAS, OMC Section 2.04.051.B and 2.04.050 I. 5 permit the Council to waive the RFP/Q and advertising and bidding requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B and 2.04.050 I. 5 waives the RFP/Q and advertising and bidding requirements and authorize the City Administrator or designee to enter into a contract with Beecher Emission Solution Technologies, LLC; and

WHEREAS, the proposed contractual arrangement between Oakland Public Works and Beecher Emission Solution Technologies, LLC will assist the City of Oakland in terms of guaranteeing that critical Fire Department emergency response vehicles and related equipment are maintained to strict, Federally-mandated environmental standards; now, therefore be

RESOLVED, That the City Council hereby authorizes the City Administrator or designee to enter into a one-year professional services agreement with Beecher Emission Solution Technologies, LLC, DBA Ward Diesel Filter Systems, for an amount not to exceed \$15,000.00 annually, for the period of January 1, 2019 through December 31, 2019. The City Council also authorizes two one-year options to extend the agreements for a grand total contract amount not to exceed \$45,000.00; and be it

FURTHER RESOLVED, That pursuant to OMC Sections and 2.04.050 I. 5 and 2.04.051.A, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising, competitive bidding and RFP/Q requirements based upon the reasons as set for herein and in the attached report which accompanies this Resolution, and be it

FURTHER RESOLVED, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed agreement(s) with Beecher Emission Solution Technologies, LLC, except for any increase in the contract(s) costs; and be it

FURTHER RESOLVED, That all proposed contract expenditure allocations shall be expensed to the Oakland Public Works Equipment Services Fund 4100; Equipment Services Administration Organization 30541; Repair and Maintenance Miscellaneous Account 54619; Administrative Project 1000010, Fleet Management and Maintenance Program IN01; and be it

FURTHER RESOLVED, That proposed contract expenditure allocations for Fiscal Year 2019 through Fiscal Year 2021 will be contingent upon the availability of funding; and be it

FURTHER RESOLVED, That the City Attorney shall review and approve the proposed contract(s) 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, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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