

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84867 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAR 27 PM 3:35

RESOLUTION AWARDING A SECURITY SERVICES CONTRACT FOR CITY FACILITIES FOR A TERM PERIOD OF THREE YEARS TO CYPRESS PRIVATE SECURITY (CYPRESS) IN AN AMOUNT NOT-TO-EXCEED TWO MILLION DOLLARS (\$2,000,000) ANNUALLY; AND TO EXTEND THE CONTRACT ON A MONTH-TO-MONTH BASIS UPON EXPIRATION OF THE ORIGINAL OR EXTENDED TERM UNTIL A NEW REQUEST FOR PROPOSAL PROCESS IS COMPLETED.

WHEREAS, the City of Oakland has various municipal facilities and properties that require unarmed security personnel to provide security services to protect the public, city personnel, officials and property; and

WHEREAS, these facilities include, but are not limited to, Civic Center Complex, specifically at the Frank H. Ogawa Plaza, City Hall, the Dalziel and Lionel J. Wilson Buildings, 7101 Edgewater, 5050 Coliseum, 750 50th Avenue, various branch libraries, senior centers, Malonga Casquelourd Center and other City facilities requiring security services; and

WHEREAS, the City issued a request for proposals and interviewed all five (5) companies who submitted proposals and the most qualified firm was selected by reviewers to be recommended for the security contract; and

WHEREAS, Cypress ranked number one (1) in the request for proposal process, met the minimum 20% Local Business Enterprise and Small Local Business Enterprise participation requirement and is recommended for the contract to provide security services at all other City sites based on their experience providing security services at government and municipal sites; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, funds are available in the Facilities Services Fund (4400), Library Services Retention-Enhancement Fund (2240) and Multipurpose Reserve Fund (1750); and

WHEREAS, the City Council finds and determines that this contract is of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary of any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the City Administrator or designee is hereby authorized to enter in to a three (3) year agreement, with Cypress Private Security for security guard services at all City facilities for an amount not to exceed \$2,000,000.00 annually; and be it

FURTHER RESOLVED: That the City Administrator is authorized to extend the contract with Cypress Private Security on a month-to-month basis at expiration of the contract if the City has not yet completed a new request for proposal process and review, until such time as the City completes a new competitive process and awards a new contract; and it be

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to conduct all negotiations, execute and submit all documents, including but not limited to agreements, amendments, extensions, modifications, payment requests and related actions, which may be necessary for the completion of the aforementioned agreement in accordance with its basic purpose; and be it

FURTHER RESOLVED: That a copy of said agreement will be approved by the Office of the City Attorney for form and legality and a copy will be on file in the Office of the City Clerk

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2014, 20

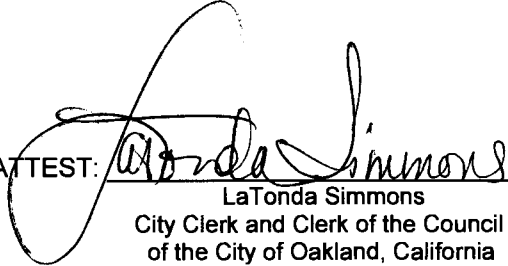
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, KALB, ~~GIBSON, McELHANEY, KAPLAN~~, REID, GALLO, SCHAFF and PRESIDENT KERNIGHAN - 6

NOES - 0

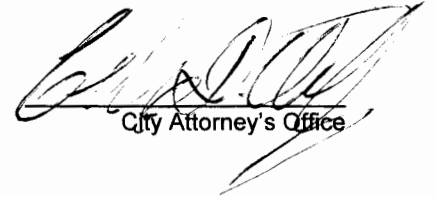
ABSENT - 0

ABSTENTION - Gibson McElhane, Kaplan - 2

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

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2016 AUG 16 AM 11:23


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 87321 C.M.S.

RESOLUTION AWARDING A SECURITY SERVICES CONTRACT TO ABC SECURITY SERVICES INC. FOR A TERM PERIOD OF THREE (3) YEARS WITH AN OPTION TO EXTEND THE CONTRACT UPON SATISFACTORY COMPLETION OF THE INITIAL TERM IN INCREMENTS OF ONE (1) YEAR; FOR UP TO TWO (2) ADDITIONAL YEARS; IN AN AMOUNT NOT-TO-EXCEED TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FOR EACH YEAR OF THE CONTRACT

WHEREAS, the City of Oakland has various municipal facilities and properties that require unarmed security personnel to provide security services to protect the public, city personnel, officials and property; and

WHEREAS, the City solicited proposals for unarmed security services from qualified firms to provide security services for City facilities for a period of three years in August 2016 and six firms responded with proposals in; and

WHEREAS, ABC Security Services Inc., a certified L/SLBE, participated in an interview and screening process and was ranked number two (2) through that process and deemed the most qualified and responsive bidder for the project; and

WHEREAS, the City Administrator on the recommendation of staff recommends that the Council award the three-year term contract to ABC Security Services, Inc., with authorization to renew in increments of one (1) year; for up to two (2) additional years; and

WHEREAS, the request for proposal process produced a thorough pool of security firms, and staff does not anticipate other firms are able to participate at this time; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of the importance of security for Oakland's citizens, employees, facilities and property; and

WHEREAS, funding for this contract for Security Guard Services is available in the following; the Facilities Services Fund (4400) the Library Services Retention and Enhancement Fund (2240) and the Multipurpose Reserve Fund (1750); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of

economy or better performance and that this contract is of a professional, scientific or technical nature; and performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, staff has determined that ABC Security Services Inc. complies with all LBE/SLBE requirements; now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a security services contract to ABC Security Services Inc., for security guard services at various City facilities in accord with the City's Request for Proposals for Security Guard Services at Various City Buildings 2016, Specification No. 6281, contractor's proposal and negotiated terms and conditions, for a three-year term in the amount not to exceed two million five hundred thousand (2,500,000) per year, and maximum of twelve million five hundred thousand dollars (12,500,000) over five years; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to execute two one-year extension options at the end of the initial three-year contract term period with ABC Security Services Inc., upon the City Administrator's determination of satisfactory performance during the initial three-year term or fourth year extension, as applicable; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized upon completion of the initial contract term or upon completion of a fourth or fifth year extension, to contract with ABC Security Services Inc. on a month-to-month basis under the same terms, conditions, pricing and costs as in the original contract until a new contract is awarded; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to conduct all negotiations, execute and submit all documents, including but not limited to; agreements, amendments, extensions, modifications, payment requests and related actions which may be necessary for the completion of the agreement, except increases in compensation, in accordance within the limitations of the work specifications and basic purpose of the agreement; and be it

FURTHER RESOLVED: That the City Attorney shall approve the contract for form and legality and the department responsible for administering the contract shall place a copy of the fully executed contract on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 24 2018

PASSED BY THE FOLLOWING VOTE:

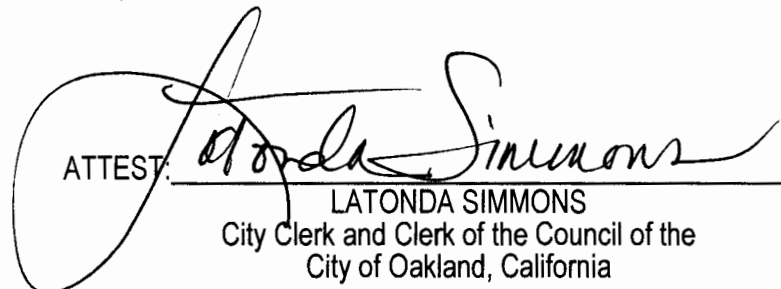
AYES - ~~Brooks~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, AND PRESIDENT REID - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brooks

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California

2022 NOV -7 PM 2: 54

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Celso Ortiz (Oct 4, 2022 10:25 PDT)

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 89440 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) INCREASE THE CONTRACT WITH ABC SECURITY SERVICE, INC. IN AN AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) PER MONTH ON A MONTH-TO-MONTH BASIS, FOR UP TO FOUR MONTHS, IN A TOTAL AMOUNT NOT TO EXCEED ONE MILLION, SIX HUNDRED THOUSAND DOLLARS (\$1,600,000.00) UNTIL REQUEST FOR PROPOSAL NUMBER 269336 IS AWARDED; AND (2) WAIVE THE ADVERTISING AND COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION SELECTION REQUIREMENT

WHEREAS, on July 24, 2018, the City of Oakland (City) entered into a security services contract with ABC Security Service, Inc. (Resolution No. 87321 C.S.M.) for a term of three years with an option to extend the contract in increments of one year for up to two additional years in an amount not-to-exceed two million five hundred dollars (\$2,500,000) for each year of the contract, for a grand total of twelve million five hundred thousand dollars (\$12, 500,000); and

WHEREAS, the Oakland Public Works Department (OPW), Bureau of Maintenance and Internal Services (BMIS), Facilities Services Division is responsible for the security of all City facilities; and

WHEREAS, the current contract does not expire until October 23, 2023, but only has about three hundred thirty-four thousand dollars (\$334,000) spending authority left; and

WHEREAS, unforeseen circumstances through the COVID-19 pandemic have exhausted the funds quicker than anticipated; and

WHEREAS, the City issued a Request for Proposal #269336 for a new security services contract, which process is not complete; and

WHEREAS, staff recommends the City Council approve a resolution authorizing the City Administrator to amend ABC Security Service, Inc. contract by increasing its contract amount by four hundred thousand dollars (\$400,000.00) per month for up to four months until Request for Proposal #269336 is awarded in a total not to exceed contract amount of \$1,600,000.00; and

WHEREAS, Oakland Municipal Code section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$25,000 and Oakland Municipal Code section 2.04.051.B allows

Council to waive the RFP/Q requirement upon a finding by the Council that it is in the best interests of the City to do so; and

WHEREAS, City staff believes that in is in the best interests of the City for the Council to waive the RFP/Q requirement for this contract because staff requires more time to complete and award Request for Proposal #269336 and the City wishes to prevent any delay and interruption of vitally needed security services to City Hall and municipal buildings; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this resolution that the professional services contract approved hereunder is of a professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, funding to cover the current contract is available in the Facilities Services Fund (4400); now, therefore, be it

RESOLVED: That based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.051.B and the for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive the Request for Proposals/Qualifications (RFP/Q) requirement for this contract and so waives the requirement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or his designee, to amend the ABC Security Service, Inc. contract by increasing its contract amount by four hundred thousand dollars (\$400,000.00) per month, on a month-to-month basis, for up to four (4) months, in a total amount not to exceed \$1,600,000.00 until Request for Proposal #269336 is completed and awarded; and be it

FURTHER RESOLVED: That ABC Security Service, Inc. shall comply with all City contracting and compliance program requirements that apply to this contract, including Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation and be verified by the Department of Workplace and Employment Standards; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality prior to execution and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

OCT 18 2022

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0


ATTEST:



ASHA REED

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

Revised at 2/21/23 Council Meeting
Approved as to Form and Legality


City of Oakland (Feb. 22, 2023 17:23 PST)

City Attorney's Office

2023 FEB 27 PM 5: 23

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

89604

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) INCREASE THE CONTRACT WITH ABC SECURITY SERVICES INC. IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS PER MONTH (\$500,000) ON A MONTH-TO-MONTH BASIS, FOR UP TO EIGHT (8) MONTHS IN A TOTAL AMOUNT NOT TO EXCEED FOUR MILLION, (4,000,000) UNTIL REQUEST FOR PROPOSAL NUMBER 269336 IS AWARDED; AND (2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION SELECTION REQUIREMENT.

WHEREAS, on July 24, 2018, the City of Oakland (City) entered into a security services contract with ABC Security Services, Inc. (Resolution No. 87321 C.M.S.) for a term of three years with an option to extend the contract in increments of one year for up to two additional years in an amount not-to-exceed two million five hundred thousand dollars (\$2,500,000) for each year of the contract, for a grand total of twelve million five hundred thousand dollars (\$12,500,000); and

WHEREAS, on October 18, 2022, per Resolution No. 89440 C.M.S., the City Administrator was authorized to amend and increase the contract by one million six hundred thousand dollars (\$1,600,000) for four (4) months in a total amount not to exceed \$1,600,000.00 until Request for Proposal #269336 was completed and awarded; and

WHEREAS, the current contract does not expire until October 23, 2023, but does not have adequate spending authority left to extend the contract; and

WHEREAS, unforeseen circumstances through the pandemic have exhausted the funds quicker than anticipated; and

WHEREAS, the Oakland Public Works Department (OPW), Bureau of Maintenance and Internal Services (BMIS), Facilities Services Division is responsible for the security of all City facilities; and

WHEREAS, the City issued a Request for Proposal #269336 for a new security services contract, which process is not complete.

WHEREAS, staff recommends the City Council approve a resolution to amend ABC Security Inc. contract by increasing its contract amount by five hundred thousand dollars (\$500,000) per month for up to eight months in a total not to exceed contract amount of \$4,000,000.00 until Request for Proposal #269336 is awarded; and

WHEREAS, Oakland Municipal Code section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$25,000 and Oakland Municipal Code section 2.04.051.B allows Council to waive the RFP/Q requirement upon a finding by the Council that it is in the best interests of the City to do so; and

WHEREAS, it is in the best interests of the City for the Council to waive the RFP/Q requirement for this contract because the City wishes to prevent any delay and interruption of vitally needed security services to City Hall and municipal buildings; and

WHEREAS, the City Council finds that the professional services in this proposed contract are of a professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, funding to cover the current contract is available in the Facilities Services Fund (4400), Project (1005170) now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to amend ABC Security Inc. contract by increasing its contract amount by five hundred thousand dollars (\$500,000) per month for up to eight (8) months until Request for Proposal #269336 is awarded; and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.051.B the City Council hereby finds that it is in the best interests of the City to waive the RFP/Q requirement for this contract in order to prevent any delay and interruption of vitally needed security services to municipal buildings and properties and thus so waives this requirement; and be it

FURTHER RESOLVED: That ABC Security Service, Inc. shall comply with all City contracting and compliance program requirements that apply to this contract, including Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation and which compliance shall be verified by the Department of Workplace and Employment Standards; and be it

FURTHER RESOLVED: That the contract and amendments authorized here under shall be reviewed and approved by the City Attorney for form and legality and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

FEB 21 2023

PASSED BY THE FOLLOWING VOTE:

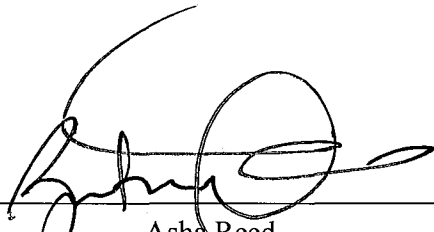
AYES - FORTUNATO BAS, FIFE, RAMACHANDRAN, JENKINS, GALLO, KALB, REID, ~~8~~
AND PRESIDENT KAPLAN

NOES - ~~0~~

ABSENT - ~~0~~

ABSTENTION - ~~0~~

ATTEST:


Asha Reed
City Clerk and Clerk of the Council of
the City of Oakland, California

Attachment D

2023 NOV 21 AM 9:33

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND
LEGALITY

Farrah Hussein

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90025 C.M.S.

AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE CONTRACT SPENDING AUTHORITY FOR THE ABC SECURITY SERVICES INC. CONTRACT TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000) PER MONTH FOR A TOTAL NOT-TO-EXCEED AMOUNT OF THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000); CONTINGENT UPON AVAILABLE FUNDS TO ENSURE SERVICE CONTINUITY; AND WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/ QUALIFICATION SELECTION REQUIREMENT.

WHEREAS, On July 24, 2018, the City of Oakland (City) entered into a security services contract with ABC Security Services Inc. (Resolution No. 87321 C.M.S.) for a term of three years with an option to extend the contract in increments of one year for up to two additional years in an amount not-to-exceed two million, five hundred thousand dollars (\$2,500,000.00) for each year of the contract, for a grand total of twelve million, five hundred thousand dollars (\$12,500,000.00); and

WHEREAS, on July 24, 2022, per Resolution No. 89440 C.M.S., the City Administrator was authorized to extend and increase and amend the contract by one million six hundred thousand dollars (\$1,600,000.00) for four months in a total amount not to exceed \$1,600,000.00 until the Request for Proposal #269336 was completed and awarded; and

WHEREAS, on February 21, 2023, per Resolution No. 89604 C.M.S., the City Administrator was authorized to increase and amend the contract by five hundred thousand dollars (\$500,000) per month for up to eight (8) months in a total amount not-to-exceed four million dollars (\$4,000,000) until the Request for Proposal No. 269336 was awarded; and

WHEREAS, failure to increase the funding capacity will create a lapse in security services, compromising the safety of our employees as well as the public. The budget authority is \$4.9 million for Fiscal Year 2023-2024, and that emergency security coverage or as-needed services over the past year has pushed the cost higher than what the annual appropriation allows; and

WHEREAS, the Oakland Public Works Department, Bureau of Maintenance and Internal Services Facilities Services Division is responsible for the security of all City facilities; and

WHEREAS, the City issued a Request for Proposal #269336 to award a new security contract, and staff will be recommending the award of the security contract in a separate agenda report; and

WHEREAS, separately, this resolution recommends the City Council increase spending authority with ABC Security Inc. until the new contract has been awarded by the City Council to allow for continuity of service during any required transition period; and

WHEREAS, Oakland Municipal Code (O.M.C.) section 2.04.051. A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$25,000, O.M.C. section 2.04.051.B allows the City Council to waive the RFP/Q requirement upon finding by the City Council that it is in the best interests of the City to do so; and

WHEREAS, it is in the best interests of the City for the City Council to waive the RFP/Q requirement for this contract because the City wishes to prevent any delay and interruption of the vital and critical security services required at City Hall, Municipal Service Centers, and other City facilities; and

WHEREAS, the City Council finds the services provided in this proposed contract are professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, currently, \$3.9 million of the \$4.9 million appropriation for security services is available in the Facilities Services Fund (4400) Project (1005170) for Fiscal Year 2023-2024; and now therefore be it

RESOLVED: That contract spending authority of \$500,000 per month not-to-exceed amount of \$3,500,000 through February 2024 is appropriated and allocated requested to maintain current service levels, with authorization for the City Administrator to increase contract authority contingent upon availability of funds to ensure service continuity; and

FURTHER RESOLVED: That pursuant to O.M.C. section 2.04.051.A, the City Council hereby finds it is in the best interests of the City to waive the RFP/Q requirement for this contract in order to prevent any delay and interruption of vital and critical security services at City Hall, Municipal service centers, and other City facilities and thus so waives this requirement; and be it

FURTHER RESOLVED: That ABC Security Services Inc. shall comply with all City contracting and compliance program requirements that apply to this contract, including Local

Business Enterprise and Small Local Business Enterprise participation and compliance will be verified by the Department of Workplace and Employment Standards; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to increase the contract authority contingent upon available funds to ensure service continuity. Currently \$3.9 million of the \$4.9 million appropriation for security services is available in the Facilities Service Fund (4400) Project (1005170) for the 2023-2024 fiscal year; and it be

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

DEC 05 2023

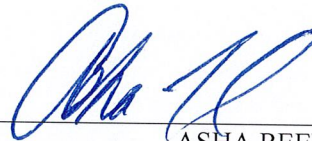
AYES - 8

NOES 0

ABSENT 7

ABSTENTION 4

ATTEST:




ASHA REED

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

2024 SEP -6 AM 9:15 APPROVED AS TO FORM AND LEGALITY

FILED
OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90423 - C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) PAY OUTSTANDING INVOICES TO ABC SECURITY SERVICES INC. (ABC) FOR SERVICES RENDERED WHILE UNDER CONTRACT DURING FY 23-24 IN THE AMOUNT OF ONE MILLION FIVE HUNDRED SEVENTY-EIGHT THOUSAND THREE HUNDRED SIXTY-SEVEN DOLLARS (\$1,578,367.00) AND FOR SERVICES RENDERED AFTER THE EXPIRATION OF THE CONTRACT ON JUNE 30, 2024, FOR JULY, AUGUST AND SEPTEMBER OF FY 24-25, IN THE AMOUNT OF ONE MILLION FIVE HUNDRED EIGHTY-NINE THOUSAND ONE HUNDRED AND TWO DOLLARS (\$1,589,102.00) FOR A TOTAL AMOUNT OF THREE MILLION ONE HUNDRED SIXTY SEVEN THOUSAND FOUR HUNDRED SIXTY NINE DOLLARS (\$3,167,469.00); AND
- 2) EXTEND THE ABC CONTRACT FOR UP TO ONE YEAR TO JUNE 30, 2025 ON A MONTH-TO-MONTH BASIS FOR AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000.00) FOR THE ONE-YEAR TERM AND, TO THE EXTENT NECESSARY, WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/ QUALIFICATION PROCESS IN THE BEST INTERESTS OF THE CITY FOR SUCH EXTENSION FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF TWENTY-EIGHT MILLION SIX HUNDRED THIRTY THOUSAND DOLLARS (\$28,630,000.00) TO ALLOW CONTINUITY OF SERVICES WHILE STAFF CONDUCTS A NEW REQUEST FOR PROPOSAL FOR SECURITY SERVICES

WHEREAS, on July 24, 2018, the City entered into a security services contract with ABC Security Services Inc., for a term of three years with an option to extend the contract in increments of one year for up to two additional years in an amount not-to-exceed two million, five hundred thousand dollars (\$2,500,000.00) for each year of the contract, for a grand total of twelve million, five hundred thousand dollars (\$12,500,000.00) (Reso. No. 87321 C.M.S.);and

WHEREAS, on July 24, 2022, the Council authorized the City Administrator to amend the contract by one million six hundred thousand dollars (\$1,600,000.00) for four months for a

total amount not to exceed \$1,600,000.00 until the Request for Proposal (RFP) #269336 was completed and awarded (Reso. No. 89440 C.M.S.); and

WHEREAS, on February 21, 2023, the Council authorized the City Administrator to amend the contract by five hundred thousand dollars (500,000.00) per month for up to eight (8) months for a total amount not-to-exceed four million dollars (\$4,000,000.00) until the RFP No. 269336 is awarded (Reso. No. 89604 C.M.S.); and

WHEREAS, on November 21, 2023, the Council authorized the City Administrator to increase the contract spending authority to five hundred thousand dollars (500,000.00) per month for a total amount not-to-exceed three million five hundred thousand dollars (\$3,500,000.00) (Reso. No. 90025 C.M.S.); and

WHEREAS, the current contract expired June 30, 2024, and did not have adequate spending authority left to extend the term of the contract; and

WHEREAS, additional security requirements for encampment management activities support, city facilities and other various locations throughout the city have exhausted the funds sooner than anticipated; and

WHEREAS, the contract spending authority was exhausted in March, three months prior to the end of the contract, leaving the City unable to process invoices in the amount of one million five hundred seventy-eight thousand three hundred sixty-seven dollars (\$1,578,367.00);

WHEREAS, despite the expiration of the contract on June 30, 2024, ABC agreed in good faith to continue to provide critical security services for the City and invoices for services rendered for July, August and September in the amount of one million five hundred eighty-nine thousand one hundred and two dollars (\$1,589,102.00) require payment;

WHEREAS, the Oakland Public Works Department, Bureau of Maintenance and Internal Services Facility Services Division is responsible for the security of all City facilities; and

WHEREAS, the City issued RFP #269336 but was unable to award a security services contract for that RFP and staff is preparing a subsequent revised RFP for Citywide Security Services for issuance and award; and

WHEREAS, increasing the spending authority of the existing ABC contract by \$500,000 per month, for a not-to-exceed amount of \$6,000,000 and extending the contract on a month-to-month basis through June 30, 2025, which would result in a total contract award not to exceed twenty-eight million six hundred thirty thousand dollars (\$28,630,000.00), should allow sufficient time for staff to complete the RFP process and make a recommendation to award a new contract and to complete the contracting process with the successful vendor; and

WHEREAS, Oakland Municipal code 2.04.051.B allows Council to waive the RFP/Q requirement upon finding by the Council that it is in the best interests of the City to do so and it is in the best interests of the City to waive the RFP/Q requirement for this contract because the

City wishes to prevent any delay and interruption of the vital and critical security services required at City Hall, service centers and other City facilities; and

WHEREAS the Council finds that the services provided in this proposed contract are of a professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, funding is available in the Facilities Services Fund (4400) Project (1005170), and within each requesting City Department; and funds shall not be committed beyond the available budgeted amount in the Facilities Services Fund (4400) Project (1005170), without the prior identification of an alternative available funding source, in advance of securing additional services; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to pay outstanding invoices from ABC Security Services Inc. for services rendered while under contract during FY 23-24 in the amount of one million five hundred seventy-eight thousand three hundred sixty-seven dollars (\$1,578,367.00) and invoices for services rendered after the expiration of the contract on June 30, 2024, for July, August and September of FY 24-25, in the amount of one million five hundred eighty-nine thousand one hundred and two dollars (\$1,589,102.00) for a total amount of three million one hundred sixty seven thousand four hundred sixty nine dollars (\$3,167,469.00); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to amend ABC Security Services Inc. contract by increasing the contract amount by five hundred thousand dollars (\$500,000.00) on a month-to-month basis for up to twelve months through June 30, 2025 for a total not to exceed increase in the amount of six million dollars (\$6,000,000.00) while a subsequent revised RFP for Citywide Security Services is prepared for issuance and award; and be it

FURTHER RESOLVED: That, to the extent necessary, pursuant to O.M.C. 2.04.051.B, the City Council hereby finds that it is in the best interests of the City to waive the RFP/Q requirement for this contract in order to prevent any delay and interruption of vital and critical security services at City Hall, service centers and other City facilities and thus so waives this requirement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **SEP 17 2024**

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

NOES - ☒
ABSENT - ☒
ABSTENTION - ☒

ATTEST:



ASHA REED

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