



AGENDA REPORT

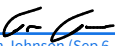
TO: Jestin D. Johnson
City Administrator

FROM: Michael Kashiwagi
Interim Director,
Oakland Public Works

SUBJECT: Amend ABC Security Services Inc.
Contract, Increase Spending Authority
And Authorize Payment For Past Due
Invoices

DATE: September 5, 2024

City Administrator Approval


Jestin Johnson (Sep 6, 2024 08:51 PDT)

Date: Sep 6, 2024

RECOMMENDATION

Staff Recommends The City Council Adopt A 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**

EXECUTIVE SUMMARY

The City of Oakland (City) contracts security services at City facilities with ABC Security Services Inc., as approved in 2018 by Resolution No. 87321 (**Attachment A**), and contract amendments with spending authority increased by Resolution No. 89440 C.M.S. dated October 18, 2022 (**Attachment B**), Resolution No. 89604 C.M.S. (**Attachment C**) dated February 23, 2023, and Resolution 90025 C.M.S. (**Attachment D**) dated November 21, 2023.

In March of 2024, due to a cumulative increase in security services throughout the City, the approved contract spending authority authorized in Resolution No. 90025 C.M.S. was exhausted, but the contract did not expire until June 30, 2024.

To prevent a disruption in security services, ABC Security Services Inc. agreed to continue to provide security services at the current service level, as well as emergency coverage until the issue was resolved.

To resolve the immediate issue, the Oakland Public Works (OPW) department submitted a requisition requesting to increase the contract capacity through the City's Procurement and Contracts Bureau utilizing the current Resolution No. 90025 C.M.S. but the language included in the Resolution did not allow for an increase to the spending authority; the request was denied and OPW was unable to process invoices for the remaining four months of the fiscal year. OPW initiated the Request For Proposal (RFP) process with the City's Capital Contracts Division in January of 2024, but that effort was halted due to the departure of the Assistant Director overseeing the Capital Projects Division (CCD).

With no immediate resolution, OPW prepared an agenda report recommending that the City Council approve a contract extension and increase spending authority to pay the outstanding invoices so ABC Security Services Inc. could continue to provide security services until the new RFP process could be completed. That report was heard by Council on July 02, 2024, but did not receive the required votes to pass.

Due to the requirement and obligation of the City to provide safe, secure buildings and facilities for employees and visitors, ABC Security Services Inc. has continued to provide security officers to the City until a resolution is found.

To avoid a lapse in City security and to continue to provide safe and secure City facilities, staff recommends that this contract be extended on a month-to-month basis and increase the spending authority of the contract a not-to-exceed amount of six million dollars (\$6,000,000.00) for citywide security services, for twelve months from the current expiration date of June 30, 2024, through June 30, 2025, for a total security services contract not-to-exceed amount of twenty eight million six hundred thirty thousand dollars (\$28,630,000.00), this total includes past due and future invoices received until a new Request for Proposal (RFP) for Citywide Security Services is completed and a new contract awarded, whichever occurs first. Staff has prepared this agenda report and a recommendation for council consideration and approval.

REASON FOR URGENCY

The spending authority for the current contract for security services was increased per Oakland City Council Resolution 89440, 89604, and 90025 by nine million one hundred thousand dollars (\$9,100,000.00) for a total not to exceed the contract amount of twenty-one million six hundred thousand dollars (\$21,600,000.00). These increases allowed the continued utilization of unarmed security officers through the existing security services contract, which expired June 30, 2024.

Before the contract expired on June 30, 2024, the City had already reached the spending limit set by Resolution No. 90025 C.M.S. Because of this, the City could not process invoices for April, May, and June of FY 23-24. After the contract expired, the City has also been unable to process invoices for July and August and is expecting invoices for September soon.

Due to the requirement and obligation of the city to provide employees and visitors with safe, secure buildings and facilities, ABC Security Services Inc. has continued to support the City critical security services, even though they have not been fully compensated for their services.

The City Administrator recently authorized a “good faith” payment to ABC for a portion of the oldest, outstanding invoice, in the amount of four hundred eighty thousand dollars (\$480,000). This is for the OPW 4400 Fund portion of the invoice and brings the outstanding payment amount for the past six months to a total of approximately two million, seven hundred and five thousand, four payment hundred ninety dollars (\$2,705,679)

Table (1) below shows the invoice amounts for the six months that are delinquent.

Outstanding Security Service Invoices by Month				
Month	Amount	4400 Fund Total	Other Fund Total	Proposed FY Funds to Utilize
March	(\$544,702 - \$480,000 paid) \$64,702 (balance)	\$502,023.41	\$42,678.17	FY23 - 24
April	\$529,637	\$489,324.60	\$40,312.39	FY23 - 24
May	\$564,137	\$519,521.34	\$44,615.85	FY24 - 25
June	\$484,593	\$445,491.54	\$39,101.03	FY24 - 25
July	\$535,740	\$493,130.43	\$42,609.40	FY24 - 25
August	\$526,870	\$483,379.14	\$43,491.56	FY 24-25
Total	\$2,705,679	\$2,452,870.46	\$252,808.40	

BACKGROUND / LEGISLATIVE HISTORY

The City utilizes the services of uniformed unarmed contract security guards as directed at City facilities to screen and provide direction and access for city staff and the public, oversee, and monitor city property, and ensure the safety of staff and visitors.

At the July 24, 2018, City Council meeting, the Council approved Resolution No. 87321 C.M.S. to award ABC Security Services Inc. a security services contract for a term period of three (3) years with an option to extend the contract in increments of one year for up to two additional years. The contract, in the amount not to exceed a total of twelve million five hundred thousand dollars (\$12,500,000.00), was based on forecasted security needs at the time of the contract execution.

Subsequent resolutions were brought to City Council on October 18, 2022 (Resolution No. 89440 C.M.S.), February 23, 2023 (Resolution No. 89604 C.M.S.), and November 21, 2023 (Resolution No. 90025 C.M.S.). Resolution No. 89440 C.M.S. stated that the contract would expire on October 23, 2023, and extended the contract for 4 months, adding \$400,000 per month, or \$1,600,000, in contract authority for a total of \$14,100,000 through February 23, 2024. Resolution No. 89604 C.M.S. further extended the contract by 8 months, with an additional \$500,000 per month, or \$4,000,000, for a total contract authority of \$18,100,000 through October 23, 2024. Finally, Resolution No. 90025 increased the contract authority by \$500,000 per month, or \$3,500,000, for a total contract authority of \$21,600,000, based on higher costs and the need for additional contract authority without extending the existing contract.

The current contract provides security services at Civic Center Complex (City Hall, Dalziel, Lionel J. Wilson, and the Frank H. Ogawa Plaza buildings), all Libraries, four Senior Centers, various Recreation Centers identified by the Oakland Parks, Recreation and Youth Development Department, and City Corporation Yards. The contractor also provides security services at other locations that require emergency security coverage or as-needed services.

In June 2022, the City initiated an RFP to secure the most qualified security services firm for a new contract. Legal advertisements were placed in July 2022, and responses were received in August 2022. The City received six (6) proposals for the RFP, the proposals were reviewed for completeness, and interviews were conducted in November 2022. Each of the security service firms were scored and ranked based on their performance in the interview process and the most qualified firm through the process at the time was determined.

OPW prepared a recommendation to award a new security contract for Council to receive, but that report was not presented due to a number of issues that arose including; necessary changes to the scope of services, the addition of armed security, modifications of security protocols to address security during the pandemic, as well as awaiting the arrival of the permanent City Administrator to allow them to review the recommendation prior to executing such a critical contract.

It was determined that the City's security requirements had changed since the completion of the

RFP, the scope had changed, the pricing was stale and security operations was being re-evaluated for efficiencies under direction of the City Administrator, the recommendation was no longer consistent with the City's needs and staff was directed to complete a new RFP process.

The City has reissued the RFP for Citywide Security Services, it was published on September 9, 2024.

ANALYSIS AND POLICY ALTERNATIVES

The Oakland Public Works Department (OPW) started a new RFP process with the Capital Contracts and Facility Services Divisions; this RFP was recently advertised on September 9, 2024, Staff expects to have the process completed and a recommendation for City Council consideration the First Quarter of 2025.

Approving this recommendation and resolution supports the City's goal of **Holistic Community Safety**. City employees in Oakland facilities, centers, and offices receive daily visits from thousands of citizens, including youth and seniors. These individuals are either participating in City programs, conducting city business, or attending public meetings or events. Having a professional security presence to provide direction, guidance, information, and security at these facilities is a critical part of the positive experience for staff and visitors.

This proposed resolution recommends the City Council extend and increase the contract with ABC Security Services Inc. to authorize payment of outstanding invoices to ABC Security Services Inc. for services they provided while under contract in FY23-24 and for three additional months; July, August and September of the current FY24-25, to ensure the city has security services at its facilities while the new RFP is completed and a new contract is awarded.

Failure to extend and the contract, increase the spending authority, and the authorize the payment of outstanding invoices could result in the immediate removal of all ABC Security Services Inc. security officers, and a lapse in services, putting the safety of City staff, visitors, and property in jeopardy, and potentially exposing the City to liability, litigation and additional compensation for penalties, fees and damages.

Waiver Of Request For Proposal/ Qualifications Requirement

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 more than \$25,000 and Oakland Municipal Code section 2.04.051.B allows the Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so.

City staff believes that it is in the best interests of the City for the Council to waive the RFP/Q requirement for this contract because staff is in the process of re-issuing the RFP for Citywide Security Services. The City wishes to prevent any delay or lapse of vital and critical security services at City facilities, municipal buildings, and properties. Staff recommends the Council waive the RFP/Q requirement for these reasons and circumstances.

ABC Security Services Inc. shall continue to 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.

FISCAL IMPACT

The contract for security services exceeded FY 2023-24 budgeted expenditures by One Million thirty four thousand three hundred twenty-three dollars (\$1,034,323.00) due to higher than anticipated security service costs and additional on-call needs requested by departments in the current fiscal year. The Oakland Public Works requested FY 24-25 budget appropriation of seven million four hundred thousand dollars (\$7,400,000.00) which would have allowed for the increased costs for the FY23-24 invoices. During the Budget process due to the City's significant fiscal constraints, the security budget was reduced by roughly 2.5 million, from 7.4 to 4.8 million, eliminating the option to cover FY23-24 invoices with FY24-25 funds. and therefore, the option to cover FY23-24 invoices with FY 24-25 funds was eliminated along with more reductions.

After the reduction the proposed midcycle budget for FY 2024-25 appropriates \$4.8 million for security services, the total funds available in the 4400 fund has an encumbrance of approximately, five hundred twenty thousand dollars (\$529,000.00), and a pending carry forward amount of approximately; five hundred sixty-nine thousand dollars (\$569,000.00) in available funds for FY the estimated costs of 4400 Fund budgeted security is \$400,000.00 per month. OPW has made reductions and modifications to the security operations to align with the FY 24-25 appropriation, further discussion with departments that contribute to the ISF/ 4400 Fund are needed to determine minimum security service levels and necessary reductions to security operations to stay within the base level appropriation. The 4400 Facilities Fund, is an internal service fund that draws roughly 2/3rds of its resources from the City's General Purpose Fund (GPF). Given the extreme pressure on GPF resources no additional allocations for security can be financially sustained and future increased or unforeseen costs will need to be offset by reductions in other security services.

The increase in contract authority provides a ceiling to cover necessary, unforeseen, or emergency security services outside of base level services. 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 securing additional services.

PUBLIC OUTREACH / INTEREST

This item did not require any additional public outreach other than the required posting on the City's website and local advertising via newspaper.

COORDINATION

OPW, Bureau of Maintenance and Internal Services, Facilities Services Division (OPW-BMIS-FSD) staff coordinated with the City Administrator's Office, the Budget Office, and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: ABC Security Services Inc. meets the L/SLBE requirements consistent with the initial contract requirements. The local economy will benefit from the services provided through job opportunities and the generation of business tax revenue.

Environmental: No environmental opportunities are identified to be available through this contract.

Race and Equity: The proposed resolution will provide security officers to protect the safety of the public and property at City facilities. Thus, providing safe access, screening, and security of facilities to a diverse array of visitors and employees.

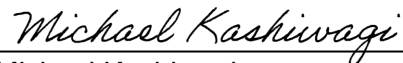
ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends The City Council Adopt A 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

For questions regarding this report, please contact Derin Minor, Acting Assistant Director, Bureau of Maintenance, and Internal Services, at (510) 238-3998.

Respectfully submitted,



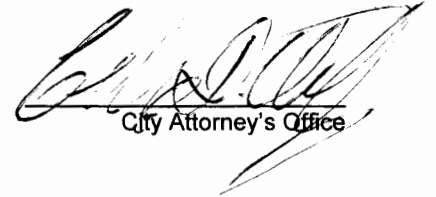
Michael Kashiwagi
Interim Director, Oakland Public Works

Prepared by:
Derin Minor, Acting, Assistant Director, Bureau of
Maintenance, and Internal Services

Attachments (4):

- A: City Council Resolution #87321
- B: City Council Resolution #89440
- C: City Council Resolution #89604
- D: City Council Resolution #90025

City of Oakland
City Attorney's Office


City Attorney's Office

2016 AUG 16 AM 11:20

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

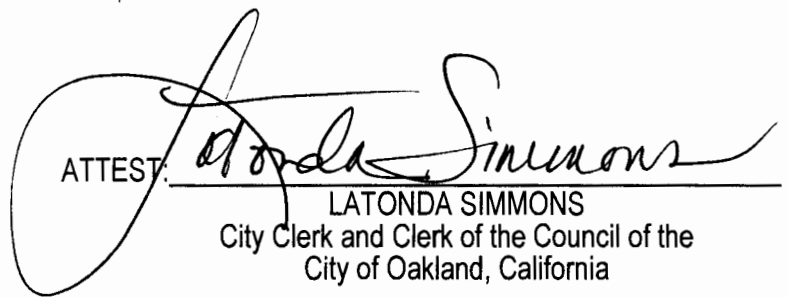
PASSED BY THE FOLLOWING VOTE:

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


Celso Ortiz (Oct 7, 2022 10:25 PDT)
City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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

2023 FEB 27 PM 5: 23


City Attorney's Office

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:

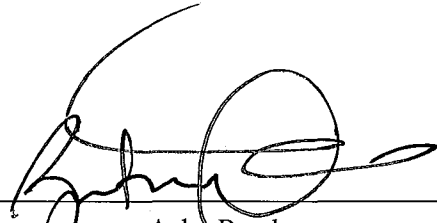
AYES - FORTUNATO BAS, FIFE, RAMACHANDRAN, JENKINS, GALLO, KALB, REID, ~~8~~
AND PRESIDENT KAPLAN

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

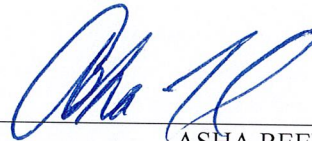
AYES - 8

NOES 0

ABSENT 0

ABSTENTION 0

ATTEST:



ASHA REED

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