

OAKLAND CITY COUNCIL


City Attorney
RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AMENDING RESOLUTION NO. 87615 C.M.S., WHICH AWARDED A CONTRACT TO KELLY'S TRUCK REPAIR FOR THE PURCHASE OF HEAVY TRUCK EQUIPMENT REPAIR AND SERVICE IN THE AMOUNT OF \$500,000 ANNUALLY, TO INCREASE THE AMOUNT AUTHORIZED FOR FY 2019-2020 TO \$1,000,000 AND WAIVING ADVERTISING AND COMPETITIVE BIDDING REQUIREMENT

WHEREAS, the Oakland Public Works Bureau of Maintenance and Internal Services Equipment Services Division occasionally requires the services of an outside company to provide support and services to reduce the heavy equipment's out-of-service or downtime; and

WHEREAS, the City Council adopted a resolution authorizing the award of a contract to Kelly's Truck Repair, the lowest responsive and responsible bidder, a non-local business enterprise for the purchase of heavy equipment repair and service, in an amount not-to-exceed \$500,000 for a one (1) year term, May 1, 2019 to April 30, 2020; in accordance with their bid dated January 07, 2019 submitted in response to RFQ 135521 dated January 29, 2019; and

WHEREAS, due to the current staffing levels in the Heavy Equipment Shop, with 13 positions of the 25 budgeted FTE positions currently vacant, the requirement to outsource required maintenance and repairs has escalated beyond what was originally anticipated, requiring additional expenses with Kelly's Truck Repair who is the primary vendor assisting the Equipment Services Division perform the mission critical maintenance and repairs for our fleet of Heavy Equipment including large Fire Apparatus, and thus providing a significant reduction in downtime and out-of-service; and

WHEREAS, the Department of Human Resource Management is currently mid-process in the recruitment for both classifications, Heavy Equipment Mechanic and Heavy Equipment Service Worker, with anticipation of establishing an eligibility list and filling the vacant positions by April of 2020; and

WHEREAS, Oakland Municipal Code ("OMC") section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of services, supplies or combination required by the City in any one transaction which exceeds \$50,000, and the award to the lowest responsive, responsive bidder if award is made; and

WHEREAS, OMC Title 2, Chapter 2.0, Article I, Section 2.04.050.I 5 provides an exception to this advertising and competitive bidding requirement when specifically authorized by the City Council after a finding and determination that it is in the best interests of the City; and

WHEREAS, all proposed contract expenditure allocations shall be expensed to the Oakland Public Works Bureau of Maintenance and Internal Services Equipment Services Division Fund (4100) Equipment Services Administrations System Organization (30541), Repair and Maintenance: Miscellaneous (54619); now, therefore be it

RESOLVED, That the City Council adopt an Amending Resolution to Resolution No. 87615 C.M.S., authorizing an increase to Kelly's Truck Repair contract in the amount of \$500,000, for a total first year of contract not to exceed \$1,000,000; and be it

FURTHER RESOLVED, That the City Council finds and determines that it is in the best interest of the City to waive further advertising and competitive bidding in accord with OMC section 2.04.050.I 5 because of the reasons set forth above and in the staff Report that accompanies this Resolution; and be it

FURTHER RESOLVED, That the contract extension and Amending Resolution shall be approved for form and legality by the City Attorney and copies shall be on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNO BAS, GALLO, PRESIDENT KAPLAN, GUILLEN, KALB, REID, TAYLOR AND THAO.

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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