

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

RESOLUTION No. 84078 C.M.S.

2012 OCT 11 PM 4:05

Introduced by Councilmember \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) APPROPRIATE FOUR HUNDRED NINETEEN THOUSAND SIX HUNDRED NINETY TWO DOLLARS AND TWENTY THREE CENTS (\$419,692.23) IN INTEREST EARNINGS FROM THE 2000 AND 2002 EQUIPMENT MASTER LEASE-PURCHASE AGREEMENTS TO FUND THE PURCHASE OF APPROXIMATELY SEVEN MARKED POLICE PATROL VEHICLES AND (2) ENTER INTO COOPERATIVE PURCHASE AGREEMENTS WITH OTHER GOVERNMENTAL AGENCIES TO PURCHASE THE NEEDED VEHICLES AND EQUIPMENT, AND IF SUCH EQUIPMENT IS NOT OBTAINABLE THROUGH COOPERATIVE PURCHASE AGREEMENTS, (3) AUTHORIZING THE WAIVER OF THE OAKLAND PURCHASING ORDINANCE'S FORMAL ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS AND ALLOWING THE CITY ADMINISTRATOR TO SOLICIT BIDS FROM THREE VENDORS AND AWARD CONTRACTS FOR THE PURCHASE OF THE VEHICLES AND EQUIPMENT, WITHOUT RETURNING TO COUNCIL**

**WHEREAS**, The Oakland Police Department and the Equipment Services Division of the Public Works Agency have identified a need to replacement patrol vehicles; and

**WHEREAS**, Funding for seven new vehicles has been identified in the form of accrued interest earnings from the 2000 and 2002 equipment master lease-purchase agreements; and

**WHEREAS**, 97 of the 227 front-line marked police cars have exceeded their seven-year life cycles with an average of 70,000 miles each; and

**WHEREAS**, The Equipment Services Division will use cooperative purchasing agreements or the City's informal competitive bid process to purchase the vehicles;

**WHEREAS**, Oakland Municipal Code ("OMC") Section 2.04.050 A requires formal advertising and competitive bidding for purchases of vehicles and related equipment installation services and the award to the lowest responsible, responsive bidder if award is made; and

**WHEREAS**, Section 2.04.050 I. 5 provides an exception to the formal advertising and competitive bidding requirement of the OMC upon a finding and determination by the Council that it is in the best interests of the City to do so; now, therefore be it

**RESOLVED**, the Council hereby finds and determines that pursuant to OMC Section 2.04.050 I. 5 it is in the best interests of the City to waive formal advertising and competitive bidding based on the reasons and circumstances set forth in the Council Report that accompanies this Resolution; and be it

**FURTHER RESOLVED:** that the City Administrator is authorized to appropriate four hundred nineteen thousand six hundred ninety two dollars and twenty three cents (\$419,692.23) in interest earnings from the 2000 and 2002 equipment master lease-purchase agreements to fund the purchase of approximately seven marked police patrol vehicles; and be it

**FURTHER RESOLVED,** That the City Administrator is authorized to enter into cooperative purchase agreements with other governmental agencies to purchase the needed vehicles and equipment; and be it

**FURTHER RESOLVED,** That in the event that such equipment is not obtainable through cooperative purchase agreements, the City Administrator is authorized to forego formal advertising and competitive bidding and solicit bids from three vendors and award contracts for the purchase of the vehicles and equipment, without returning to Council.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 13 2012

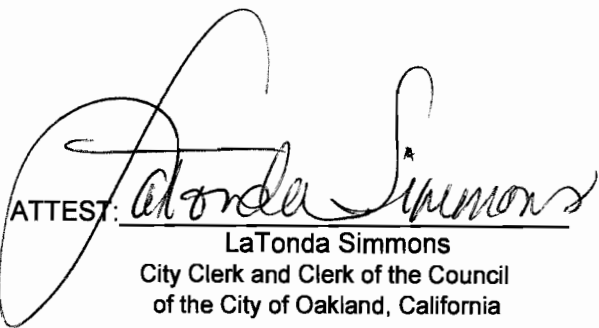
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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