

**REVISED**

Approved as to Form and Legality

**DRAFT**  
City Attorney

FILED  
As Amended  
OFFICE OF THE CLERK  
JUNE 24, 2014

**OAKLAND CITY COUNCIL**

2014 JUN 25 AM 11:09 RESOLUTION No. \_\_\_\_\_ C.M.S.

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

**RESOLUTION WAIVING ADVERTISING, COMPETITIVE BIDDING, COMPETITIVE SELECTION REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) REQUIREMENTS AND THE CITY'S L/SLBE PROGRAM AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH GRANICUS, INC. TO PERFORM SOFTWARE AND HARDWARE UPDATES TO THE CITY'S AGENDA MANAGEMENT AND WEB HOSTED STREAMING VIDEO SYSTEMS, AND ADD A CITIZEN'S PARTICIPATION WEB APPLICATION, FOR ONE-TIME COST NOT TO EXCEED THIRTY-TWO THOUSAND DOLLARS (\$32,000.00), AND TO ENTER INTO A MANAGED SERVICES CONTRACT WITH GRANICUS INC. FOR SUBSCRIPTIONS TO WEB HOSTED SERVICES FOR AGENDA MANAGEMENT, STREAMING VIDEO, AND PUBLIC PARTICIPATION IN AN AMOUNT NOT TO EXCEED SIXTY-NINE THOUSAND ONE HUNDRED EIGHTY SIX (\$69,186.00) EACH YEAR FOR THREE YEARS, WITH TWO ONE YEAR OPTIONS TO EXTEND THE TERM OF THE CONTRACT**

**WHEREAS**, the Office of the City Clerk, KTOP Television Station, and the Department of Information Technology have been working to update and improve the quality of services and expand access to City Council and Committee meetings and agenda content; and

**WHEREAS**, the upgrading and implementation of web based agenda management, video streaming; and public participation systems can improve public access, meaningfully increase public participation, and expand transparency; and

**WHEREAS**, the use of these web-based systems will provide City staff and Councilmembers more tools in engaging and measuring public feedback to foster an environment of collaboration with our citizens; and

**WHEREAS**, the City finds that the services provided pursuant to the agreement authorized hereunder is of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, the City lacks the technical resources, equipment and automated tools to accomplish this project; and

**WHEREAS**, the City finds that the contract with Granicus Inc. shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore; and

**WHEREAS**, the City has surveyed the availability of services of other vendors and has found that no comparable services inclusive of the specific bundled components is available; and

**WHEREAS**, Oakland Municipal Code (“OMC”) section 2.04.020.B requires Council approval of contracts for technology-related professional products or goods in excess of \$50,000: and

**WHEREAS**, OMC section 2.04.050.A requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or goods, and OMC section 2.04.050.I.5 allows Council to waive advertising and bidding requirements upon a finding by the Council that it is in the best interest of the City to do so; and

**WHEREAS**, OMC 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 OMC section 2.04.051.B allows 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;

**WHEREAS**, City staff recommends waiving the advertising, competitive bidding, and RFP/Q requirements for this contract because it is in the best interests of the citizens and the City to provide improvements to the function of technical systems necessary to perform noticing of Council and Committee meetings and to maintain online public access to legislative records and meeting content; now, therefore be it

**RESOLVED:** That the City hereby finds and determines that: (1) pursuant to OMC section 2.04.050.I 5, and OMC section 2.04.051 A, and for the reasons stated above and in the City Administrator’s report accompanying this item, it is in the best interests of the City to waive the advertising , competitive bidding and the RFP/Q requirements and authorize the City Administrator to execute an agreement for subscriptions to web hosted services for Agenda management, streaming video hardware and software, and public participation software from Granicus, Inc. for a one-time cost not to exceed \$32,000; and (2) pursuant to Chapter 2.04, Article I, section 2.04.051, that it is in the best interests of the City to waive the requirement for an RFP or RFQ process, and therefore authorize the City Administrator to execute a contract with Granicus Inc for technical and managed services; in annual amount not to exceed \$69,186 per year for 3 years, with 2 one-year options to extend the Agreement; and be it

**FURTHER RESOLVED**, That the City Administrator or her designee is hereby authorized to execute and deliver any and all agreements, including the provision of all needed APIs, and is hereby authorized to approve any subsequent amendments to or extensions of said Agreement with the exception of those related to an increase in the contract price or the allocation of additional funds provided that such amendments or extensions shall be filed with the City Clerk’s office; and be it;

**FURTHER RESOLVED**, That the contract shall be reviewed and approved by the City Attorney’s Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk; and be it

**FURTHER RESOLVED**, That the funding for Granicus hosted-site services are allocated in the budgets of KTOP – IP13 and the Office of the City Clerk – IP14 and IP63 and were previously allocated within those budgets.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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