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APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88563 C.M.S.

**RESOLUTION:**

1. **AMENDING THE CITY'S CURRENT CONTRACT WITH ACCELA FOR THE CONTINUED MAINTENANCE, HOSTING, LICENSING AND PROFESSIONAL SERVICE TO SUPPORT THE ACCELA SYSTEM, BY EXTENDING THE TERM OF THAT CONTRACT FOR AN ADDITIONAL THREE YEARS AND INCREASING THE PREVIOUSLY AUTHORIZED AMOUNT OF THAT CONTRACT BY AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR A TOTAL CONTRACT AMOUNT OF THREE MILLION EIGHT HUNDRED AND ELEVEN THOUSAND FOUR HUNDRED AND ONE DOLLARS (\$3,811,401);**
2. **AUTHORIZING THE CITY ADMINISTRATOR TO AWARD CONTRACTS TO ACCELA CERTIFIED VENDORS AND OTHER INFORMATION TECHNOLOGY CONSULTANTS TO IMPLEMENT THE PERMITTING SYSTEM SERVICE ENHANCEMENTS PROPOSED UNDER THE CITY'S REIMAGINING ONE STOP PERMITTING (ROSP) INITIATIVE IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000), WHICH INCLUDES A SEVEN HUNDRED FIFTY THOUSAND DOLLAR (\$750,000) CONTINGENCY, FOR A THREE-YEAR TERM BEGINNING AS SOON AS POSSIBLE FOLLOWING ADOPTION OF THIS RESOLUTION, WITHOUT RETURNING TO COUNCIL;**
3. **AMENDING RESOLUTION NO. 88174 C.M.S., WHICH ADOPTED THE FISCAL YEAR 2020-21 MID-CYCLE BUDGET ADJUSTMENTS, TO APPROPRIATE UP TO TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000) FROM THE DEVELOPMENT SERVICES FUND (FUND 2415) FUND BALANCE TO FINANCE THE CONTRACTS AWARDED TO ACCELA CERTIFIED VENDORS AND OTHER INFORMATION TECHNOLOGY CONSULTANTS; AND**
4. **WAIVING THE MULTI-STEP SOLICITATION PROCESS FOR THE ABOVE-REFERENCED CONTRACTS**

WHEREAS, on May 17, 2011 the City Council adopted Resolution No. 83358 C.M.S., which authorized a five (5) year contract with Accela, Inc. for a proprietary software application

and professional services to license, configure, update, and remotely host a computerized land-use management system for the City; and

**WHEREAS**, On January 20, 2014, the Planning & Building Department (PBD) went live with the Accela system, replacing the City's 25-year-old PTS legacy system, and four (4) other departments, Oakland Public Works (OPW), Oakland Department of Transportation (OakDOT), Oakland Fire Department (OFD) and City Administrator's Office (CAO), have each subsequently launched unique Accela applications to support some departmental functions; and

**WHEREAS**, On June 20, 2017, the City Council adopted Resolution No. 86785 C.M.S., authorizing the City Administrator to award a contract(s) to Accela, Inc. or Accela authorized vendors for continued maintenance, hosting, licensing and professional services to support the Accela system for a period of five (5) years in a total amount not to exceed two million three hundred eleven thousand four hundred one dollars (\$2,311,401), for all contracts awarded; and for professional services associated with the implementation of a fire inspection module for the OFD's Fire Prevention Bureau in an amount not to exceed four hundred fourteen dollars (\$414,000), for all contracts awarded for the fire inspection module; and

**WHEREAS**, the use of Accela has allowed PBD, OFD, OakDOT, OPW and the CAO to efficiently process and record information and documents essential to permitting and inspection services for residents, businesses, and the development community; and

**WHEREAS**, the COVID-19 pandemic and associated state and local shelter-in-place orders resulted in the ongoing closure of most City facilities and exacerbated existing challenges between staff and the public in terms of communication, coordination of permit review, tracking of permit status, and scheduling of appointments and inspections; and

**WHEREAS**, in response to these and other ongoing challenges, in November 2020 the CAO launched the Reimagining One-Stop Permitting initiative (ROSP), convening an interdepartmental team to assess all permitting processes and develop improvements that will streamline permitting functions across all departments and update customer interface systems; and

**WHEREAS**, the ROSP includes stakeholder engagement with the local development community as well as in-depth assessment of departments' permitting processes to identify changes that will improve coordination between departments, strengthen communication with the public, and implement software or other improvements to address common delays in the permitting process; and

**WHEREAS**, the ROSP will also utilize available data from Accela and other platforms to analyze the performance metrics of the current permitting system and identify improvements to enhance both front- and back-end user experience, as well as fully integrate all departments' permitting functions into Accela to ensure efficient, consistent processes and accurate data tracking across departments; and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.042 requires a multiple-step solicitation process for the combined purchase of products and professional services by soliciting proposals, requiring vendor demonstrations when appropriate and feasible, and evaluating and rating proposals and performance in demonstrations on the basis of uniform criteria to be

determined by the City Administrator on a case-by-case basis, for the purchase of supplies, equipment, and computer software; and

**WHEREAS**, OMC sections 2.04.042 D permits the City Council to waive the multiple-step solicitation process upon a recommendation of the City Administrator and a finding and determination that it is in the City's best interest to do so; and

**WHEREAS**, the City Administrator recommends that the Council make a finding and determination to waive the requirements of OMC section 2.04.042 and authorize the City Administrator to enter into an Agreement with Accela Inc., Certified Accela Vendors, and other Information Technology and Consulting firms for software and services needed to implement the service enhancements proposed under the ROSP initiative; and

**WHEREAS**, staff believes that it is in the best interest of the City to waive the competitive multiple-step solicitation process requirement based on the factors outlined in the staff report that accompanies this Resolution, including the fact that Accela is already a core technology system within PBD and other Departments, and to pivot to a different contractor with a new system would cause significant disruption to operations, as well as detrimental fiscal impact to fund the capital investment needed to implement a new system; now, therefore, be it

**RESOLVED:** That the City Council hereby finds and determines that it is in the best interest of the City to waive the multiple-step solicitation process requirements for these contracts and for this project based on the following factors:

- **Enterprise Platform:** Accela Inc. possesses unique qualifications as a sole source vendor. Staff has determined that Accela is the only U.S. based vendor that offers an enterprise system with multi-lingual capacity, that is also 508 compliant. Section 508 of the Rehabilitation Act of 1973 was passed in 1997 and requires federal agencies to make their electronic and information technology accessible to people with disabilities.
- **Business Essential System:** Accela is already part of the core technology system within PBD and was set-up to enable integration with other City software applications and systems. To pivot to a different vendor with a new system would (i) cause significant disruption to what is now a core functionality within the City and (ii) result in a substantial fiscal impact as it would necessitate a huge capital investment for a new system implementation.
- **Cross-Departmental Efficiencies:** By authorizing the expansion of the current Accela program into other City departments, it will allow better inter-departmental collaboration and improve overall City permit reviewing efficiency. Sharing the best practices on one consistent platform throughout the City will eliminate redundant technology or system incompatibility issues, allowing the City to serve the public better and save unnecessary costs. Accela is the only vendor that is compatible with the City's existing Oracle platform. The City of Oakland has made significant investments in the Oracle R12 upgrade, including the integration of Oracle R12 modules with the Accela payment module. The ability to link existing systems directly into Oracle financials will facilitate reporting and financial accountability.
- **Accela is the only vendor in this space that supports multiple languages - providing an access portal that can support the Spanish-, Chinese- and Vietnamese-speaking communities. The ability to conduct business in multiple languages will increase the**

accessibility and transparency of City government and meets the intent of the Equal Access Ordinance No. 12324 C.M.S. established by the City of Oakland in 2001.

- The CAO, Special Activities Division, plans to implement other special activity permitting functions for businesses such as night clubs, beauty stores, and salons into the Accela platform.
- In addition, the CAO expects to implement the cannabis permitting process in Accela which will allow staff to more efficiently manage and track cannabis-related activities and inspections.
- After an extensive effort in 2020, Accela is now highly integrated with the City's new Centralized Document Management System (OnBase). Switching to another system would require major additional resources for integration.
- The Accela certified vendors completed rigorous training, examining, testing and notarization process, and are recognized as industry leaders to implement and optimize the Accela system for state and local agencies across the U.S. Waiving the competitive process for the Accela Certified vendors reduces the City's risk of contracting with an unqualified vendor; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes amending the City's current contract with Accela for continued maintenance, hosting, and licensing and professional services to support the Accela system by extending that contract for an additional three years to November 30, 2025 and increasing the previously authorized amount for that contract in an amount not to exceed one million five hundred thousand dollars (\$1,500,000) for a total contract amount of three million eight hundred and eleven thousand four hundred and one dollars (\$3,811,401); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or designee to award contracts to Accela certified vendors and other information technology and consulting firms for software and services needed to implement the service enhancements proposed under the City's ROSP initiative in a total amount not to exceed two million two hundred fifty thousand dollars (\$2,250,000) which includes a seven hundred fifty thousand dollar (\$750,000) contingency for a three (3) year term beginning as soon as possible following the adoption of this Resolution, without return to Council; and be it

**FURTHER RESOLVED:** That the City Council hereby amends Resolution no. 88174 C.M.S., which adopted the fiscal year 2020-21 Mid-Cycle Budget adjustments, to appropriate two million two hundred fifty thousand dollars (\$2,250,000) from the Development Services Fund (2415) fund balance to finance the contracts awarded to Accela certified vendors and other information technology consultants for the above permitting system-related contracts; and be it

**FURTHER RESOLVED:** That the funding for contracts with Accela, Accela certified vendors and other informational technology and consulting firms is available in the Development Services Fund (2415), Administration: Planning, Building and Neighborhood Preservation Organization (84111), Tech Enhancement and Rec Mgmt Project (1003971), Project to be Determined, and DPBNP Administration Program (IP49); and be it further

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 16 2021

PASSED BY THE FOLLOWING VOTE:

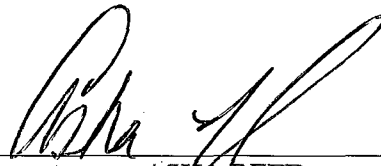
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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



ASHA REED

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