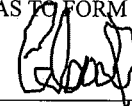


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

22 APR -7 PM 4:48

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 89120 C.M.S.

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**RESOLUTION 1) AWARDED A CONTRACT TO GOLDEN STATE FIRE APPARATUS, INC. IN AN AMOUNT NOT TO EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000) TO PURCHASE ONE FIRE ENGINE FOR \$915,000 AND ONE FIRE TRUCK FOR \$1,685,000; 2) APPROPRIATE AND ALLOCATE AN AMOUNT NOT TO EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000) FROM THE UNDESIGNATED 4100 EQUIPMENT FUND BALANCE TO PAY FOR THE FIRE APPARATUS REPLACEMENT; AND 3) WAIVE THE CITY'S ADVERTISING, COMPETITIVE BIDDING, REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q), AND LOCAL BUSINESS AND SMALL LOCAL BUSINESS REQUIREMENTS FOR THE PURCHASE OF EQUIPMENT, PRODUCTS AND PROFESSIONAL SERVICES FOR THE ABOVE DESCRIBED AGREEMENTS**

**WHEREAS**, a fire engine/truck is the single most important piece of equipment that allows fire departments to provide emergency services to their communities; and

**WHEREAS**, the Oakland Public Works Department (OPW) is preparing to purchase two fire apparatus for the Oakland Fire Department (OFD) fleet that are beyond their economic life and are necessary to be replaced to provide reliable public safety functions; and

**WHEREAS**, the Public Works Department seeks to enter into an agreement with Golden State Fire Apparatus, Inc. for an amount not to exceed two million six hundred thousand dollars (\$2,600,000) to purchase one fire engine and one fire truck; and

**WHEREAS**, the Public Works Department is requesting to appropriate and allocate an amount not to exceed two million six hundred thousand dollars from an undesignated 4100 Equipment Fund balance to pay for the fire apparatus replacement; and

**WHEREAS**, the current method of acquiring apparatus for Oakland Fire is through Master Lease agreements. OFD has a need for twelve new fire engines and four new Fire trucks to bring our fleet to current NFPA (National Fire Protection Agency) standards; and

**WHEREAS**, the ability of local governments to replace old fire apparatus in a timely manner is a serious issue, as public safety is directly tied to the reliability and performance of a community's fire apparatus;

**WHEREAS**, The purchase cost of the apparatus will increase by 7% on April 29, 2022 and the failure to adopt this resolution meeting will cause an unnecessary financial impact on the city budget and compromise our capacity to purchase the necessary vehicles; and

**WHEREAS**, section 2.04.050 of the Oakland Municipal Code ("OMC") requires advertising and competitive bidding where the cost of services, supplies or combination required by the City exceeds \$50,000.00; and

**WHEREAS**, OMC section 2.04.051 A. requires a Request For Proposal/Qualifications ("RFP/Q") competitive selection process for the purchase of professional services; and

**WHEREAS**, Ordinance number 13640 C.M.S. requires a minimum 50-percent (50%) Local Business Enterprise/Small Local Business Enterprise ("LBE/SLBE") participation for all professional service contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified business listed in the industry, trade, or profession that constitutes a major category of work; and

**WHEREAS**, there are no LBE/SLBEs available that can provide the fire trucks, apparatus (emergency response vehicles), equipment and services in Oakland that are required by the City under this contract and therefore, staff requests that the Council waive the LBE/SLBE requirement; 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 Ordinance Number 13640, and award a contract to Golden State Fire Apparatus, Inc.; and

**WHEREAS**, OMC section 2.04.050 I permit the waiver of advertising and competitive bidding, and OMC section 2.051 B permit the waiver of the RFP/Q requirement, after a finding and determination by the City Council that it is in the best interests of the city to do so; and

**WHEREAS**, staff recommends that the Council find and determine that it is in the best interests of the City to waive advertising, bidding and the RFP/Q requirements for the contracts because the City wishes to award a contract to Golden State Fire Apparatus, Inc.,

**WHEREAS**, Pierce Manufacturing is the standardized fire apparatus in use throughout OFD and Pierce Manufacturing has formally designated Golden State Fire Apparatus, Inc. as a sole dealer for all Pierce-manufactured fire apparatus (emergency response vehicles) in Central and Northern California; and

**WHEREAS**, waiver of the advertising, competitive bidding and RFP/Q requirements of the OMC is required in order to avoid having to advertise and solicit competitive bids on the open market as normally would be required and because Golden State Fire Apparatus, Inc. provides highly-specialized fire equipment and apparatus and which is only available from one vendor that has a single dealer for all of Northern and Central California; and

**WHEREAS**, the following benefits will accrue from adopting this resolution:

- Replacement of existing apparatus that are past their life expectancy, have excessive maintenance costs and are out of service frequently
- Reduced maintenance costs, provides more reliable spare units and lower

lifecycle costs for these apparatus

- Reduced environmental impact by using newer equipment that lowers pollution and uses less fuel and emits less particulates
- Improved protection for City employees by deploying apparatus that include current safety features; and be it

**RESOLVED:** There is no fiscal impact to the General Fund, as staff is requesting to appropriate \$2,600,000 from the available Equipment Services Fund (Fund 4100) Undesignated Fund Balance to purchase two (2) new replacement fire apparatus:

- \$1,685,000: One (1) Fire Truck; and
- \$915,000: One (1) Fire Engine; and, be it

**FURTHER RESOLVED:** that the City Council hereby authorizes the City Administrator to appropriate and expend the funds from the Equipment Services Administration Organization (30541), Vehicle Additions Account (57611) and Fleet Management and Maintenance (IN01), Project Number to be determined; and be it

**FURTHER RESOLVED:** that the City Council hereby finds and determines, based upon the reasons set forth in this Resolution and the staff report that accompanies it, that it is in the best interests of the City to waive the city's advertising and competitive bid requirements pursuant to OMC section 2.050 I. 5 and the request for proposal/qualifications (RFP/Q) requirements pursuant to OMC section 2.051 B. for equipment, products and professional services for the above-described agreement; and be it

**FURTHER RESOLVED:** That the Council hereby waives the Local Business Enterprise/Small Local Business Enterprise participation requirement because there are no LBE/SLBEs available that can provide the fire trucks, apparatus, (emergency response vehicles), equipment and services in Oakland that are required by the City under this contract and Golden State Fire Apparatus, Inc. provides highly-specialized fire equipment and apparatus which is only available from one vendor that has a single dealer for all of Northern and Central California.; and be it

**FURTHER RESOLVED:** That the Council hereby awards a contract to Golden State Fire Apparatus, Inc. in an amount not to exceed Two Million Six Hundred Thousand Dollars for the purchase of one Fire Engine for \$915,000 and one Fire Truck for \$1,685,000; and be it

**FURTHER RESOLVED:** that all agreements issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

APR 19 2022

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