



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION WAIVING THE COMPETITIVE MULTIPLE-STEP SOLICITATION PROCESS REQUIRED FOR THE ACQUISITION OF INFORMATION TECHNOLOGY SYSTEMS, AND AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH EXYGY, INC FOR WEBSITE DESIGN AND DEVELOPMENT SERVICES FOR THE CITY'S WEBSITE TO EXTEND THE TERM BY AN ADDITIONAL YEAR AND INCREASE THE COMPENSATION BY AN AMOUNT NOT TO EXCEED \$120,000.00 FOR A TOTAL CONTRACT AMOUNT OF \$867,000

WHEREAS, Exygy, Inc, which has been providing critically needed services to support the City's Oaklandca.gov website since February 2021; and

WHEREAS, Exygy, Inc's current scope of work will be completed by June 30, 2023; and

WHEREAS, the initial contract to Exygy, Inc. was competitively bid and awarded through a formal RFP process; and

WHEREAS, Exygy, Inc. has supported the City of Oakland with ongoing website maintenance and improvements; and

WHEREAS, services delivered to date by Exygy, Inc, include: conducting robust internal and external stakeholder research, employing data and analytics to guide decision-making, creating a shared vision and roadmap of development priorities, and making substantive foundational improvements to the design and structure of the website; and

WHEREAS, the work done by Exygy, Inc. has resulted in improvements to the City of Oakland's website, including improved search and navigation, and prioritized redesigns of key elements of the City of Oakland's website, including service pages, public meeting and event pages, and news pages; and

WHEREAS, heretofore, Exygy, Inc. has performed acceptably under the terms of the agreement; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.042.A requires that the City Administrator conduct a competitive multi-step solicitation process for the acquisition of any computerized or information technology systems; and

WHEREAS, OMC Section 2.04.042.A provides that the City Council may waive the competitive process upon a recommendation of the City Administrator and finding determination by the City Council that it is in the best interests of the City to waive the solicitation processes; and

WHEREAS, staff recommends that it is in the best interest of the City to waive the multi-step solicitation process in order to build on the work done to date and ensure ongoing improvements and sustainability of the City's website while the City migrates to a new Content Management System; and

WHEREAS, the City Administrator has determined that this contract is professional, scientific or technical and temporary in nature, and the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the Council finds and determines that pursuant to OMC section 2.04.042.D, for the reasons stated above and in the City Administrator's report accompanying this resolution, it is in the best interests of the City to waive the competitive multi-step solicitation process for the information technology services to be purchased under the proposed contract and so waives the requirements; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to amend the professional services agreement with Exygy, Inc for website design and development services for the City's website to extend the term by an additional one-year and increase the compensation by an amount not to exceed \$120,000.00 for a total contract amount of \$867,000; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate, execute, amend and otherwise take any action in relation to the agreement, except increasing the monetary amount without returning to City Council; and be it

FURTHER RESOLVED: That based on information provided by the City Administrator, the City Council finds that these contracts are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That prior to execution, the agreement shall be reviewed and approved as to form and legality by the City Attorney, and executed copies shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California