



CITY OF OAKLAND

# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** G. Harold Duffey  
Director,  
Oakland Public Works

**SUBJECT:** Moeller Bros. Body Shop, Contract for  
Collision Repair Services

**DATE:** February 13, 2024

City Administrator Approval

  
Jestin Johnson (Feb 1, 2024 17:20 PST)

Date: Feb 1, 2024

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Contract To Moeller Bros. Body Shop, The Lowest Responsive And Responsible Bidder, A Non-Local Business Enterprise, In An Amount Not-To-Exceed One Million Dollars (\$1,000,000) Per Year To Provide Collision Repair And Body Shop Services For Heavy And Light Equipment Vehicle Fleet For A Three (3) Year Term, January 1, 2024 To December 31, 2027, And Authorize Two (2) Additional One (1) Year Agreement Extensions For An Amount Of One Million Dollars (\$1,000,000) Per Year For A Total Not-To-Exceed Contract Amount Of Five Million Dollars (\$5,000,000) For A Term Of Five (5) Years Without Returning To Council And Waive The Local And Small Local Business Enterprise Program Requirements.**

## **EXECUTIVE SUMMARY**

This proposed contract between the City of Oakland (City) and Moeller Bros. Body Shop will provide collision repair and body shop services for the City's damaged light and heavy-duty equipment vehicle fleet in an amount not-to-exceed \$1,000,000 per year for a three (3) year term, January 1, 2024, to December 31, 2027, and authorize two (2) additional one (1) year agreement extensions for an amount of \$1,000,000 per year for a total not-to-exceed contract amount of \$5,000,000 for a term of five (5) years. The City's auto body shop is unable to complete these types of repairs and services due to facility size limitations, the required specialized equipment, and components necessary for specific jobs, and/or lack of personnel resources with specific expertise consistent with various repair requirements. Based on the City's Request for Qualification (RFQ) processes, Moeller Bros. Body Shop was the lowest responsible bidder.

Fleet accident management and preventive maintenance are critical City functions. If equipment and/or vehicles become unsafe due to a lack of collision repair or maintenance, the Equipment Services Manager can be held liable for negligent entrustment. As defined, liability is premised upon providing an employee with a dangerous tool or instrument, such as a vehicle, while

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knowing, or having reason to know, that use of the equipment or vehicle creates unreasonable risk or harm to the operator or others. Simply stated, the equipment and/or vehicle must be safe to operate. Oakland Public Works, Bureau of Maintenance and Infrastructure Services, and Equipment Services Division will utilize this contract to complete work on damaged vehicles and equipment to ensure their operational safety for the City's staff and public.

## **BACKGROUND / LEGISLATIVE HISTORY**

The City utilizes the services of an authorized collision repair facility to complete repairs to light and heavy vehicles and equipment that cannot be completed by the City's repair facility due to expertise, urgency of repair, or specialized tools and equipment needed to complete the repair.

From January 3, 2020, through December 31, 2024, Moeller Bros. Body Shop, located in San Leandro, California, performed repair services through a \$2,500,000 contract created through a cooperative agreement with Alameda County (Contract Purchase Order 2020008317). Although the contract has not yet expired, the contract amount has been spent, as there were unexpected repairs needed to maintain the City's older than national average fleet; therefore, staff issued new RFQs for light equipment repair and heavy equipment repair.

## **ANALYSIS AND POLICY ALTERNATIVES**

The City issued two separate requests for proposals for collision repair services. First, on October 3, 2023, Specification No. 24-928-00/RFQ: 271237 for light equipment collision repair and body shop services was sent to nine (9) local business and ten (10) non-local business enterprises, posted on the City's web page and advertised in the City's official newspaper in accordance with Oakland Municipal Code (OMC) 2.04.050. On November 13, 2023, the City received three bids from three (3) non-local businesses. Based on the responses, Moeller Bros. Body Shop was deemed the lowest responsible bidder (**Attachment 1**).

Second, on October 2, 2023, Specification No. 24-928-00/RFQ 271233 for heavy equipment collision repair and body shop services, was sent to seven (7) local business and seven (8) non-local business enterprises, posted on the City's web page, and advertised in the City's official newspaper in accordance with OMC 2.04.050. On November 6, 2023, the City received two bids from two (2) non-local businesses. Based on the responses, Moeller Bros. Body Shop was deemed the lowest responsible bidder (**Attachment 2**).

Ordinance Nos. [13640 C.M.S.](#) and [13647 C.M.S.](#) require a minimum 50-percent (50%) Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation for all purchase of commodities, goods, and associated services for 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. However, the Council may waive the City's LBE/SLBE requirements due to a lack or limited availability of SLBEs or LBEs and because it is in the best interests of the City to do so.

The Purchasing Department did not receive bids from any certified LBE/SLBEs that can perform the services to the City that are required under this contract. Thus, staff requests that the Council waive the LBE/SLBE utilization requirements for this proposed contract award on this basis and because it is in the best interests of the City to do so because of the reasons discussed in this report.

Awarding this contract with Moeller Bros. Body Shop would support the City's goals of **Holistic Community Safety** and **Responsive, Trustworthy Government**. Timely collision repair of the City's fleet and equipment ensures that City staff has adequate and safe equipment to fulfill responsibilities to the residents and visitors of the City of Oakland.

Failure to award this proposed contract would create a backlog of equipment that is out of service and could possibly leave first responders and other crucial personnel without tools to complete City services.

### **FISCAL IMPACT**

All proposed contract expenditure allocations shall be expensed to the Oakland Public Works, Bureau of Maintenance and Infrastructure Services, Equipment Services Fund (4100) Project (1000010) Equipment Services Administration Organization (30541). **Table 1** outlines the total contract amount for three years, including two optional one-year options for a total contract amount of \$5,000,000.

**Table 1: Contract Cost Summary**

<b>Project Year</b>	<b>Contract Amount</b>
January 1, 2024 - December 31, 2024	\$1,000,000
January 1, 2025 - December 31, 2025	\$1,000,000
January 1, 2026 - December 31, 2026	\$1,000,000
January 1, 2027 - December 31, 2027*	\$1,000,000
January 1, 2028 - December 31, 2028*	\$1,000,000
<b>Total:</b>	<b>\$5,000,000</b>
*Optional Extensions	

### **PUBLIC OUTREACH / INTEREST**

This item does not require any further public outreach other than the required posting on the City's website and advertised in the City's official newspaper in accordance with OMC 2.04.050.

## **COORDINATION**

Oakland Public Works, Bureau of Maintenance and Internal Services, Equipment Services Division staff coordinated with the City Administrator's Office, the Budget Office and the Office of the City Attorney in preparation of this report.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** Collision repair and related maintenance of the City's fleet and equipment ensures the long-term efficiency and extended life cycle of these items while simultaneously reducing financial impacts in comparison to full replacement costs.

**Environmental:** There are no environmental impact concerns associated with this report.

**Race and Equity:** There are no race and equity impacts associated with this report.

## **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Contract To Moeller Bros. Body Shop, The Lowest Responsive And Responsible Bidder, A Non-Local Business Enterprise, In An Amount Not-To-Exceed One Million Dollars (\$1,000,000) Per Year To Provide Collision Repair And Body Shop Services For Heavy And Light Equipment Vehicle Fleet For A Three (3) Year Term, January 1, 2024 To December 31, 2027, And Authorize Two (2) Additional One (1) Year Agreement Extensions For An Amount Of One Million Dollars (\$1,000,000) Per Year For A Total Not-To-Exceed Contract Amount Of Five Million Dollars (\$5,000,000) For A Term Of Five (5) Years Without Returning To Council And Waive The Local And Small Local Business Enterprise Program Requirements.

For questions regarding this report, please contact Joseph Williams, Equipment Services Manager, at (510) 615-5489.

Respectfully submitted,

  
Harold (Glenn) Duffey (Feb 1, 2024 15:09 PST)

G. HAROLD DUFFEY  
Director, Oakland Public Works

Reviewed by:  
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