


2022 NOV -7 PM 2: 54


Celso Ortiz (Oct 7, 2022 10:25 PDT)
City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO. 89440 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) INCREASE THE CONTRACT WITH ABC SECURITY SERVICE, INC. IN AN AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) PER MONTH ON A MONTH-TO-MONTH BASIS, FOR UP TO FOUR MONTHS, IN A TOTAL AMOUNT NOT TO EXCEED ONE MILLION, SIX HUNDRED THOUSAND DOLLARS (\$1,600,000.00) UNTIL REQUEST FOR PROPOSAL NUMBER 269336 IS AWARDED; AND (2) WAIVE THE ADVERTISING AND COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION SELECTION REQUIREMENT

WHEREAS, on July 24, 2018, the City of Oakland (City) entered into a security services contract with ABC Security Service, Inc. (Resolution No. 87321 C.S.M.) for a term of three years with an option to extend the contract in increments of one year for up to two additional years in an amount not-to-exceed two million five hundred dollars (\$2,500,000) for each year of the contract, for a grand total of twelve million five hundred thousand dollars (\$12, 500,000); and

WHEREAS, the Oakland Public Works Department (OPW), Bureau of Maintenance and Internal Services (BMIS), Facilities Services Division is responsible for the security of all City facilities; and

WHEREAS, the current contract does not expire until October 23, 2023, but only has about three hundred thirty-four thousand dollars (\$334,000) spending authority left; and

WHEREAS, unforeseen circumstances through the COVID-19 pandemic have exhausted the funds quicker than anticipated: and

WHEREAS, the City issued a Request for Proposal #269336 for a new security services contract, which process is not complete; and

WHEREAS, staff recommends the City Council approve a resolution authorizing the City Administrator to amend ABC Security Service, Inc. contract by increasing its contract amount by four hundred thousand dollars (\$400,000.00) per month for up to four months until Request for Proposal #269336 is awarded in a total not to exceed contract amount of \$1,600,000.00; and

WHEREAS, Oakland Municipal Code 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 Oakland Municipal Code section 2.04.051.B allows

Council to waive the RFP/Q requirement upon a finding by the Council that it is in the best interests of the City to do so; and

WHEREAS, City staff believes that in is in the best interests of the City for the Council to waive the RFP/Q requirement for this contract because staff requires more time to complete and award Request for Proposal #269336 and the City wishes to prevent any delay and interruption of vitally needed security services to City Hall and municipal buildings; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this resolution that the professional services contract approved hereunder is of a professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, funding to cover the current contract is available in the Facilities Services Fund (4400); now, therefore, be it

RESOLVED: That based on information provided by the City Administrator, the Council finds that this contract is 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 pursuant to OMC 2.04.051.B and the for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive the Request for Proposals/Qualifications (RFP/Q) requirement for this contract and so waives the requirement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or his designee, to amend the ABC Security Service, Inc. contract by increasing its contract amount by four hundred thousand dollars (\$400,000.00) per month, on a month-to-month basis, for up to four (4) months, in a total amount not to exceed \$1,600,000.00 until Request for Proposal #269336 is completed and awarded; and be it

FURTHER RESOLVED: That ABC Security Service, Inc. shall comply with all City contracting and compliance program requirements that apply to this contract, including Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation and be verified by the Department of Workplace and Employment Standards; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality prior to execution and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

OCT 18 2022

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

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