

Farrah Hussein
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- (1) APPROVING ONGOING COOPERATIVE PURCHASE AGREEMENTS EXCEEDING \$250,000 FOR OAKLAND PUBLIC WORKS, BUREAU OF MAINTENANCE AND INTERNAL SERVICES (SEWER MAINTENANCE DIVISION) COMMODITIES AND SERVICES CONTRACTS AS SET FORTH IN TABLE 1 IN AN AMOUNT NOT TO EXCEED ONE MILLION NINE HUNDRED THOUSAND (\$1,900,000) DOLLARS; AND**
- (2) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

WHEREAS, the Sewer Services Division of Oakland Public Works is responsible for performing preventive maintenance to over 932 miles of sewer mains, ranging from six inches to over 66 inches in diameter. Preventive maintenance consists of closed-circuit television (CCTV) inspections, cleaning, and performance of minor repairs. The City is currently operating under a Federal Consent (Case Number C09-00186-RS and C09-05684-RS) requiring the City to clean 184 miles and inspect (CCTV) 94 miles of sanitary sewer pipe each year; and

WHEREAS, to support these mandated critical operations, the division must procure commodities and service from various vendors and to remain in compliance with the Federal Consent Decree and ensure services are uninterrupted, it is essential the City maintain valid contracts with sufficient capacity for use at any time; and

WHEREAS, Oakland Municipal Code (OMC) § 2.04.080 provides that “[w]here advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process [...] without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because

the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

WHEREAS, per Oakland Municipal Code (OMC) 2.04.030 the City Council may award any purchase orders or contracts in excess of City Administrator's Authority; and

WHEREAS, City Council adopted Resolution 89845 C.M.S. on July 18, 2023, Resolution 90007 C.M.S. on December 5, 2023, Resolution 90154 C.M.S on March 19, 2024, and Resolution 90212 C.M.S on May 7, 2024, approving ongoing cooperative agreements exceeding \$250,000 for commodities and services contracts; and

WHEREAS, the Oakland Public Works, Sewer Services Divisions has since identified three essential cooperative agreement contracts (listed on **Table 1**) were competitively awarded by another governmental entity or public agency in compliance with OMC § 2.04.080 currently valued at \$250,000 or less that require capacity increase for City Council's consideration; and

WHEREAS, staff seeks City Council approval pursuant to OMC § 2.04.030 of the cooperative agreements set forth in **Table 1**, which exceed \$250,000 in value as listed in **Table 1**, and are ongoing; and

WHEREAS, the contracts will be funded by Fund 3100 (Sewer Services) for the next two fiscal years from FY24-25 to FY25-26 and the use of these contracts is subject to the availability of Council authorized appropriations and Budget Office's funding availability analysis performed at the time a standard purchase order request submission or before funds are encumbered; and

WHEREAS, staff recommends that the city council adopt a resolution approving ongoing cooperative purchase agreements exceeding \$250,000 for Public Works department's Maintenance and Internal Services Bureau (Sewer Division) commodities and services contracts as set forth in **Table 1** in an amount not to exceed one million nine hundred thousand (\$1,900,000) dollars, and adopting appropriate California Environmental Quality Act (CEQA) findings; now, therefore, be it

RESOLVED: That the City Council approves and to the extent necessary awards the ongoing cooperative purchase agreements exceeding \$250,000 for commodities and services set forth in **Table 1**, for an amount not to exceed those amounts listed in **Table 1**, pursuant to OMC § 2.04.030(a); and be it

FURTHER RESOLVED: That the agreements and the action being undertaken to implement them are exempt from the California Environmental Quality Act (CEQA) under the following CEQA Guideline Sections: Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15301 (existing facilities); Section 15307 (protection of natural resources); Section 15308 (protection of the environment); and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to increase the value of the ongoing cooperative purchase agreements exceeding \$250,000 for commodities and services as set forth in **Table 1**, for an amount not to exceed **\$1,900,000**, pursuant

to OMC § 2.04.030(a); and be it

FURTHER RESOLVED: That City Administrator must report back to Council on any contract adjustments and any further increases beyond this amount require additional Council’s approval; and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to complete all required negotiations, execute the agreements, and take any other action consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Administrator, or their designee or successor is, hereby authorized to take any other action consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Chapter Section 303)

ABSTENTION –

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

Table 1, Proposed Sewer Maintenance Division Ongoing Cooperative Agreements to increase Contract Value

Contract No.	Supplier	Original Contract Amount	Expires	Used Amount	Balance	Increased Proposed	New Proposed Contract	Services/Comodities Provided
2024007339	ADS Environmental Services	\$ 250,000	12/31/26	\$195,810	\$ 54,190	\$700,000	\$950,000	Sewer Sanitary and Storm flow monitoring Services
2024000070	White Cap Construction Supply	\$ 250,000	11/8/26	\$ 75,781	\$ 174,219	\$200,000	\$450,000	Tool and Equipment Supplies
2024002019	Mallory Safety and Supply LLC	\$ 240,000	4/1/26	\$148,981	\$ 91,019	\$260,000	\$500,000	Public Safety & Industrial Equipment Supplies
Total		\$740,000		\$420,572	\$319,428	\$1,160,000	\$1,900,000	