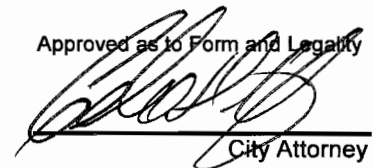


FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

OAKLAND CITY COUNCIL

2013 JUL 19 PM 2: 56

RESOLUTION No. 84573 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO: 1) NEGOTIATE AND EXECUTE AN AGREEMENT WITH RCC CONSULTANTS INC. TO PROVIDE AN EVALUATION AND REPORT ON THE EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY (EBRCSA) P-25 RADIO SYSTEM AND THE FEASIBILITY OF RELOCATING MICROWAVE PATHS, IN AN AMOUNT NOT TO EXCEED \$150,000; AND, 2) WAIVE THE ADVERTISING AND REQUEST FOR PROPOSAL PROCESS FOR AWARD OF SAID CONTRACT TO RCC CONSULTANTS INC.

WHEREAS, Based on a request of the Finance and Management Committee, the Executive Director of East Bay Regional Communication System Authority (EBRCSA), gave a presentation to the Committee on June 25, 2013; and

WHEREAS, EBRCSA was formed in 2007 as a Joints Power Authority, to serve the Alameda and Contra Costa Counties public safety communication needs;

WHEREAS, EBRCSA Board of Directors has 23 members made up of equal representation from both counties; and

WHEREAS, EBRCSA P25 radio network consists of 6 cell sites, including Northwest Cell covering the City of Oakland, which was launched in the end of 2012; and

WHEREAS, EBRCSA radio system equipment and subscriber radios are manufactured and provided by Motorola;

WHEREAS, City of Oakland owns, operates and maintains its own P25 Radio network, and went live in June 2011; and

WHEREAS, City P25 radio system equipment and subscriber radios are manufactured and provided by Harris; and

WHEREAS, EBRCSA has provided a cost proposal to the City to consider joining the EBRCS P25 radio network;

WHEREAS, Finance Committee directed the staff to perform an independent side by side analysis of the Oakland P25 Radio system and the EBRCSA P25 radio system; and

WHEREAS, OMC section 2.04.51 A requires the City to conduct a request for proposal or request for Qualifications, competitive selection process (“RFP/RFQ”) prior to the purchase of professional services unless this requirement is waived under OMC Section 2.04.51 B upon a finding by the City Council or its designee that it is in the best interest of the City to do so; and

WHEREAS, RCC Consultants Inc., was hired by the City of Oakland, in 2011, to conduct a performance evaluation of the City of Oakland P25 Radio Network, and make recommendations for improvements; and

RESOLVED, that the City Council hereby authorizes the City Administrator or her designee to negotiate and execute a consulting services agreement with RCC for EBRCSA P25 radio network and City of Oakland P25 network side by side analysis for an amount not to exceed \$150,000; and be it

RESOLVED, that the City Council directs the staff that the side by side reports shall be completed by no later than November 1, 2013, and subsequently scheduled for Council agenda; and be it

FURTHER RESOLVED: That pursuant to OMC section 2.04.051.B , the City Council hereby finds and determines that it is in the best interest of the City to waive the competitive request for proposal/qualifications process for professional services because the professional services obtained as part of this contract due to the urgency of the repairs needed for the public safety infrastructure, the time involved to undergo a competitive bid process would not meet the timetable set forth by Council. Further, the professional services obtained as part of this contract are heavily reliant upon the unique and specialized technical services and data which have already been obtained by this consultant during the course of their investigative work in early 2012. Given the urgency and need to evaluate the critical public safety related infrastructure, the City would benefit by expediting the execution of these services and receive significant cost savings by obtaining similar technical services from this consultant as a direct extension of their previously submitted technical data. Given the urgency and need to evaluate the critical public safety related infrastructure, the City would benefit by expediting the execution of these services and receive significant cost savings by obtaining similar technical services from this consultant as a direct extension of their previously submitted technical data. Further, this consultant is uniquely qualified to assist the City in the development of negotiating rights agreements, framework and process to provide access to city-owned facilities for public/private partnerships and other professional services; based on the reasons set forth above in this resolution; and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED, that funds to complete this project will be drawn from 1010-46231-54919.0000000.IP62; and be it.

FURTHER RESOLVED, that the contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED, that the City Attorney shall review and approve any such agreements; and be it

RESOLVED, that any agreements reached would be non-exclusive, compliant with city policies and subject to approval by the city council.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2013, 20

PASSED BY THE FOLLOWING VOTE:

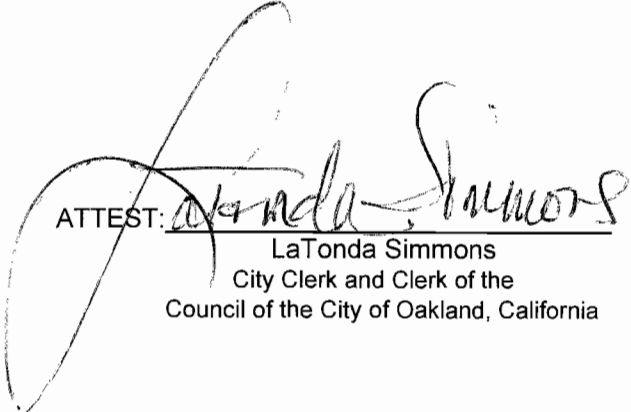
, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF, and PRESIDENT KERNIGHAN - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Brooks - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California