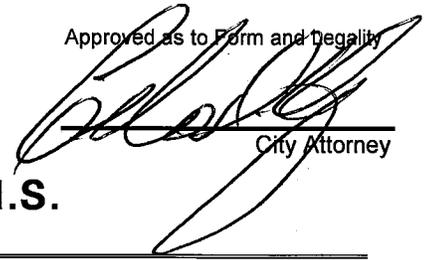


# OAKLAND CITY COUNCIL



City Attorney

2015 MAR 12 PM 10:07

RESOLUTION No. 85 484 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO: 1) EXECUTE A ONE-YEAR SERVICE AGREEMENT FOR THE PERIOD OF MAY 1, 2015 THROUGH APRIL 30, 2016, WITH GOLDEN STATE FIRE APPARATUS, INC. IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) FOR MAINTENANCE, PARTS AND REPAIR OF OAKLAND FIRE DEPARTMENT EMERGENCY RESPONSE VEHICLES; 2) AUTHORIZE THE EXECUTION OF TWO ADDITIONAL ONE-YEAR AGREEMENT EXTENSIONS WITH GOLDEN STATE FIRE APPARATUS, INC. IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) PER YEAR, FOR A GRAND TOTAL CONTRACT AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00), WITHOUT RETURNING TO COUNCIL, AND 3) WAIVE THE ADVERTISING, COMPETITIVE BIDDING, REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) AND THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS ASSOCIATED WITH THE PROPOSED SERVICE AGREEMENTS**

**WHEREAS**, Oakland Public Works' Bureau of Infrastructure and Operations seeks to enter into a sole source service agreement with Golden State Fire Apparatus, Inc. for maintenance, parts and repair of Oakland Fire Department emergency response vehicles which are manufactured by Pierce Manufacturing, Inc.; and

**WHEREAS**, as of February 2015, Pierce Manufacturing, Inc. issued formal written notification that Golden State Fire Apparatus, Inc. serves as the sole authorized provider for Pierce products and services in Central and Northern California; and

**WHEREAS**, Oakland Public Works requests authorization to enter into a one-year service agreement for the period of May 1, 2015 through April 30, 2016, with Golden State Fire Apparatus, Inc. in an amount not to exceed four hundred thousand dollars (\$400,000.00) for maintenance, parts and repair of Oakland Fire Department emergency response vehicles; and

**WHEREAS**, staff also requests authorization to enter into two, one-year agreement extensions with Golden State Fire Apparatus, Inc. in an amount not to exceed \$400,000.00 per year, for a grand total contract amount of one million two hundred thousand dollars (\$1,200,000.00), without returning to Council; and

**WHEREAS**, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive Request for Proposal/Qualification (RFP/Q) selection process for the procurement of professional services; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

**WHEREAS**, OMC Section 2.04.051.B permits the Council to waive the RFP/Q requirements upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.010 provides for the mandatory Local and Small Local Business Enterprise (L/SLBE) Program requirement, unless it is waived by the City Administrator or the Council; and

**WHEREAS**, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B, waives the RFP/Q requirements and the L/SLBE Provision requirements and authorize the City Administrator, or his designee, to enter into the above-referenced contractual provisions with Golden State Fire Apparatus, Inc.; and

**WHEREAS**, the proposed contractual arrangements between Oakland Public Works and Golden State Fire Apparatus, Inc. will assist the City of Oakland in terms of guaranteeing that critical public safety equipment is maintained to the manufacturer's strict warranty standards and guard against untimely equipment failures; now, therefore be it

**RESOLVED**: That the City Council hereby authorizes the City Administrator, or his designee, to enter into a one-year service agreement for the period of May 1, 2015 through April 30, 2016, with Golden State Fire Apparatus, Inc. in an amount not to exceed \$400,000.00 for maintenance, parts and repair of Oakland Fire Department emergency response vehicles; and be it

**FURTHER RESOLVED**: That the City Council also authorizes the City Administrator, or his designee, to enter into two, additional one-year agreement extensions with Golden State Fire Apparatus, Inc. in an amount not to exceed \$400,000.00 per year, for a grand total contract amount of \$1,200,000.00 without returning to Council; and be it

**FURTHER RESOLVED**: Pursuant to OMC Section 2.04.051.A, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising, competitive bidding, RFP/Q requirements based on the reasons set forth herein and in the Report and Attachment A that accompany this Resolution, and further waives the L/SLBE provisions; and be it

**FURTHER RESOLVED**: That the City Administrator, or his designee, is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed Golden State Fire Apparatus, Inc. agreement(s), except for any increase in the contract(s) costs; and be it

**FURTHER RESOLVED:** That all proposed contract expenditure allocations shall be expensed to the Oakland Public Works Equipment Services Division Fund (4100); Equipment Services Administration Organization (30541), Program No. (IN01); and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve the proposed contract(s) as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

MAR 31 2015

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

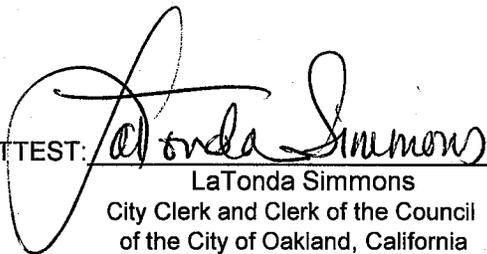
**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON-McELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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