

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2015 JUL 29 AM 11:20

# OAKLAND CITY COUNCIL

RESOLUTION No. 85718 C.M.S.

**RESOLUTION:**

- (1) **WAIVING ADVERTISING, COMPETITIVE BIDDING AND THE REQUEST FOR PROPOSALS/QUALIFICATION (“RFP/RFQ”) REQUIREMENTS OF THE OAKLAND MUNICIPAL CODE (“OMC”); AND**
- (2) **AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A THREE (3) YEAR CONTRACT WITH BUILDINGEYE TO PROVIDE SOFTWARE, HARDWARE AND TECHNICAL SERVICES TO IMPLEMENT AND MAINTAIN ENHANCEMENTS TO THE CITY’S LAND USE AND BUILDING PERMIT SYSTEM IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY NINE THOUSAND FOUR HUNDRED AND FIFTY DOLLARS (\$159,450), WITHOUT RETURN TO COUNCIL**

**WHEREAS**, the Planning and Building Department seeks authorization to negotiate and enter into a three (3) year contract with BuildingEye for technical services, hardware, software, and related maintenance and support; and

**WHEREAS**, since January 2014, the Planning and Building Department has used ACCELA, a land-use management and permitting system; and

**WHEREAS**, BuildingEye is designed to work specifically with ACCELA and staff has determined through reviewing similar systems in other cities, that BuildingEye is the sole vendor able to provide access to ACCELA data such as Planning Applications, Building Permits and Code Enforcement information to users and the general public on an interactive map; and

**WHEREAS**, BuildingEye has successfully implemented similar programs for the City of Palo Alto, City and County of San Francisco, City of Alameda, and City of Corvallis; and

**WHEREAS**, Oakland Municipal code sections 2.04.050.I.5 and 2.04.051.B permit the Council to waive advertising and bidding and the request for proposal/qualification (“RFP/Q”) processes for the acquisition of software licenses, equipment and services upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, staff recommends that the advertising and competitive processes be waived for this purchase because staff has determined that BuildingEye is specifically designed to work with ACCELLA and is the only vendor able to provide outside users full electronic access to the City’s planning, building and code enforcement systems ; and

**WHEREAS**, the proposed contract is of a technical and temporary nature and the City Administrator has determined that it will not result in the loss of employment or salary by any person having permanent status in the civil service system; and

**WHEREAS**, funding for this contract is available as part of the FY 2015-17 Budget in the Development Services Fund (2415), Administration: Planning & Building Organization (84111), PERTS Project (P249920), and Administration Program (IP49); now, therefore, be it

**RESOLVED:** That the City Administrator or his Designee, is authorized to negotiate and execute a three (3) year contract with BuildingEye for software, hardware and technical services to implement and maintain enhancements to the city’s land use and building permit system that will provide electronic access to outside users in an amount not to exceed one hundred fifty nine thousand four hundred and fifty dollars (\$159,450), without return to council; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B and based on the information set forth in the City Administrator’s report accompanying this item and above, the City Council finds and determines it is in the City’s best interests to waive advertising, bidding and the Request for Proposals/Qualification (“RFP/RFQ”) requirements of the Oakland Municipal Code (“OMC”); and be it

**FURTHER RESOLVED:** That the City Council finds and determines that the proposed contract is of a technical and temporary nature and the City Administrator has determined that it will not result in the loss of employment or salary by any person having permanent status in the civil service system; and

**FURTHER RESOLVED:** That the City Administrator is authorized to execute any amendments or modifications of the agreements within the limitations of the project specifications.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2015

**PASSED BY THE FOLLOWING VOTE:**

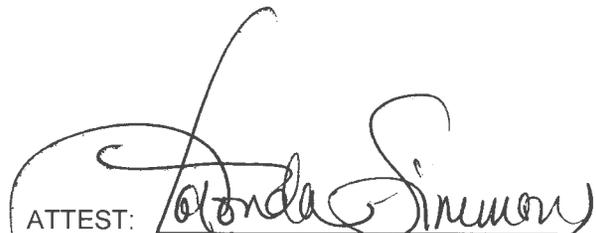
AYES - ~~BROOKS~~, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID and  
PRESIDENT GIBSON MCELHANEY 7

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