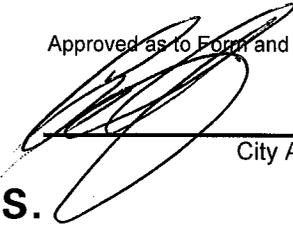


2019 FEB -7 PM 2:16

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. 87553 C.M.S.

RESOLUTION AUTHORIZING: (1) AN AMENDMENT TO AUTHORIZING RESOLUTION NO. 87161 C.M.S. GOVERNING CURRENT CONTRACTUAL PROVISIONS WITH GOLDEN STATE FIRE APPARATUS, INC. IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) ANNUALLY FOR THE PERIOD OF MAY 1, 2018 THROUGH APRIL 30, 2019, WITH TWO ONE-YEAR OPTIONS TO RENEW, FOR A GRAND TOTAL CONTRACTUAL ALLOCATION OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) TO A PROPOSED INCREASED CONTRACTUAL AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) ANNUALLY FOR THE PERIOD OF MAY 1, 2018 THROUGH APRIL 30, 2019, WITH TWO ONE-YEAR OPTIONS TO RENEW, FOR A GRAND TOTAL INCREASED CONTRACTUAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) FOR MAINTENANCE, PARTS AND REPAIR OF FIRE DEPARTMENT EMERGENCY RESPONSE VEHICLES AND RELATED EQUIPMENT, WITHOUT RETURNING TO COUNCIL, AND (2) A WAIVER OF THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSAL/ QUALIFICATIONS (RFP/Q) REQUIREMENTS

WHEREAS, Oakland Public Works' Bureau of Maintenance & Internal Services, Equipment Services Division, is entrusted with stewardship for the acquisition, repair and maintenance of City vehicles and equipment, inclusive of public safety vehicles; and

WHEREAS, the City Council previously authorized the execution of a contract for service with Golden State Fire Apparatus, Inc. for maintenance, parts and repair of Oakland Fire Department emergency response vehicles and related equipment through ratification of Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018; and

WHEREAS, said City Council authorized contractual provision with Golden State Fire Apparatus, Inc. was for an amount not to exceed \$200,000 for the term of May 1, 2018 through April 30, 2019, with two, one-year options to extend; equating to a cumulative, three-year contractual amount of \$600,000; and

WHEREAS, due to the average age of the Oakland Fire Department's large apparatus units being 23 years old, unpredictable extensive and costly repairs have escalated over the past year that are directly related to the fatigue of equipment that has surpassed the recommended useful service life; and

WHEREAS, as further detailed within the context of the accompanying report, additional factors which further justify the proposed amendment request are ongoing staffing shortages within OPW and escalating mechanical and physical apparatus damages; and

WHEREAS, as a result of the aforementioned provisions, OPW's Equipment Services Division has fully depleted the entire first year contractual financial set-aside through Golden State Fire Apparatus, Inc., with said exhaustion of funds occurring well before the close of the first year contract term; and

WHEREAS, in order to ensure the enactment of outstanding mandatory maintenance and repairs needed for public safety vehicles for the current and upcoming two years, an increase in the authorized annual contractual provisions with Golden State Fire Apparatus, Inc. is necessary; and

WHEREAS, Oakland Public Works seeks authorization to amend Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018, through enactment of an increase to the annually authorized spending threshold of its current contractual provisions with Golden State Fire Apparatus, Inc. from \$200,000 to \$400,000, with no proposed changes to contractual term limit(s) and without returning to Council; and

WHEREAS, with approval of the proposed amendment, the cumulative, three-year financial impact of the subject contract would increase from \$600,000 to \$1,200,000; 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/Qualifications (RFP/Q) selection process when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

WHEREAS, OMC Section 2.04.051.B and 2.04.050 I.5 permits the Council to waive the RFP/Q and advertising and bidding requirements upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that the City Council, pursuant to OMC Section 2.04.051.B and 2.04.050 I.5 waives the advertising and bidding requirements and authorize the City Administrator or designee to enter into the proposed amended contract(s) with Golden State Fire Apparatus, Inc.; and

WHEREAS, all other terms, conditions and authorizations enacted by the authority of City Council through its previous ratification of Authorizing Resolution No. 87161, C.M.S., shall remain in full force and effect; now, therefore be it

RESOLVED, That the City Council hereby authorizes the City Administrator, or designee, to enter into an amended agreement with Golden State Fire Apparatus, Inc. for the increased annual contractual amount of \$400,000 for the period of May 1, 2018 through April 30, 2019 for maintenance, parts and repair of Oakland Fire Department emergency response vehicles and related equipment; and be it

FURTHER RESOLVED, That the City Council also authorizes two, one-year options to extend said amended agreement, for a cumulative three-year contract amount not to exceed \$1,200,000; and be it

FURTHER RESOLVED, That the City Council, pursuant to OMC Section 2.04.050 I.5, hereby finds that it is in the best interests of the City to waive the RFP/Q, advertising and competitive bidding requirements, without returning to Council, for the execution of the proposed amended contractual agreements with Golden State Fire Apparatus, Inc. to ensure the City's ability to provide the requisite maintenance, repairs and ongoing operational soundness of Oakland's fleet in the midst significant staffing shortages, the age of the City's fleet, as well as the sheer volume of mandatory repairs needed for emergency response vehicles; and be it

FURTHER RESOLVED, That all other terms, conditions and authorizations enacted by the authority of City Council through its previous ratification of Authorizing Resolution No. 87161 C.M.S., dated May 1, 2018, shall remain in full force and effect; and be it

FURTHER RESOLVED, That all proposed amended contract expenditure allocations shall be expensed to the Equipment Services Fund (4100); Equipment Services Administration Organization (30541); Repair and Maintenance Miscellaneous Account (54619); Administrative Project 1000010, Fleet Management and Maintenance Program IN01; and be it

FURTHER RESOLVED, That proposed amended contract expenditure allocations for Fiscal Year 2019-2020 through Fiscal Year 2020-2021 will be contingent upon the availability of funding; and be it

FURTHER RESOLVED, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed agreement(s), except for any additional increase(s) in the agreement(s) costs; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

FEB 26 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, , TAYLOR, THAO AND
PRESIDENT KAPLAN →

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST:



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