



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION WAIVING THE COMPETITIVE MULTIPLE-STEP SOLICITATION PROCESS REQUIRED FOR THE ACQUISITION OF INFORMATION TECHNOLOGY SYSTEMS, AND AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH EXYGY, INC FOR WEBSITE DESIGN AND DEVELOPMENT SERVICES FOR THE CITY'S WEBSITE TO EXTEND THE TERM BY AN ADDITIONAL TWO YEARS AND INCREASE THE COMPENSATION BY AN AMOUNT NOT TO EXCEED \$498,000.00 FOR A TOTAL CONTRACT AMOUNT OF \$747,000

WHEREAS, Exygy, Inc, has been providing critically needed services to support the City's Oaklandca.gov website since February 2021; and

WHEREAS, Exygy, Inc's, initial scope of work will be completed by November 16, 2021; and

WHEREAS, the initial contract to Exygy, Inc. was competitively bid and awarded through a formal RFP process; and

WHEREAS, Exygy, Inc. has supported the City of Oakland with ongoing website maintenance and improvements; and

WHEREAS, services delivered to date by Exygy, Inc, have included: conducting robust internal and external stakeholder research, employing data analytics to guide decision-making, creating a shared vision and roadmap of development priorities, and making substantive foundational improvements to the design and structure of the website; and

WHEREAS, the work done by Exygy, Inc. has resulted in improvements to the City of Oakland's website, including improved search and navigation, and prioritized redesigns of key elements of the City of Oakland's website, including service pages and public meetings; and

WHEREAS, heretofore, Exygy, Inc. has performed acceptably under the terms of the agreement; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.042.A requires that the City Administrator conduct a competitive multiple-step solicitation process for the acquisition of any computerized or information technology systems; and

WHEREAS, OMC Section 2.04.042.D provides that the City Council may waive the competitive process upon a recommendation of the City Administrator and finding and determination by the City Council that it is in the best interests of the City to waive the solicitation processes; and

WHEREAS, staff recommends that it is in the best interest of the City to waive the multiple-step solicitation process in order to build on the work done to date and ensure ongoing improvements and sustainability of the City's website; and

WHEREAS, the City Administrator has determined that this contract is professional, scientific or technical and temporary in nature, and the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the Council finds and determines that pursuant to OMC section 2.04.042.D, for the reasons stated above and in the City Administrator's report accompanying this resolution, it is in the best interests of the City to waive the competitive multiple-step solicitation process for the information technology products and services to be purchased under the proposed contract and so waives the requirements; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to amend the existing Professional Services Agreement with Exygy, Inc for website design and development services for the City's website to extend the term of the agreement by an additional two-years at two-hundred and forty-nine thousand dollars (\$249,000.00) per year for a total increase of four hundred and ninety-eight thousand dollars (\$498,000.00) and a total contract amount of seven hundred forty-seven thousand (\$747,000); and be it

FURTHER RESOLVED: That based on information provided by the City Administrator, the City Council finds that these contracts are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California