

RESOLUTION NO. 2007-317

Adopted by the Sacramento City Council

May 29, 2007

REJECT ALL BIDS, SUSPEND COMPETITIVE BIDDING, AND EXTEND CURRENT CONTRACT FOR RADIO MAINTENANCE SERVICES

BACKGROUND

- A. Motorola, Incorporated, has provided radio maintenance services for the City of Sacramento for the last five years. All services have been provided in accordance with the contract's Scope of Services, Terms, and Conditions (City Agreement 2002-219). Motorola, Incorporated, provides essential City services that are necessary to maintain the City's high public health and safety standards.
- B. In March 2007, Procurement Services competitively bid the replacement contract, and Motorola, Incorporated, was found to be the apparent low bidder. However, Motorola, Incorporated, also submitted additional terms and conditions with their bid that were deemed substantial in nature, necessitating that Motorola's bid be considered non-responsive. The City and Motorola, Incorporated, are currently in negotiations over some of the contract terms and conditions. Until negotiations have been completed and agreed upon it is imperative for public health and safety reasons that there not be a lapse in service.
- C. In order to avoid a lapse in service and to ensure continuation of necessary maintenance, repair, installation, and removal of police, fire, and general government communications equipment and until a new contract is awarded by Council, Staff recommends extension of the current contract with Motorola for a period not to exceed six months and an amount not to exceed \$140,000. Motorola, Incorporated, has agreed to an extension of up to six months or until a new contract is in place to provide radio maintenance services under the same terms, conditions, and pricing as the current contract.
- D. It is in the City's best interest to reject all bids and suspend further competitive bidding because: 1) Motorola, Incorporated was the lowest responsible bidder when these services were awarded in January 2003; 2) Motorola, Incorporated, is intimately familiar with the City's operations; and 3) This six month extension will allow City staff sufficient time to come to an agreement with Motorola regarding the contract's terms and conditions.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. All bids for Invitation for Bid B071181080 are rejected.
- Section 2. In the best interest of the City, competitive bidding is suspended for radio maintenance services.
- Section 3. The City Manager is hereby authorized to execute a contract extension to City Agreement 2002-219 with Motorola, Incorporated through December 31, 2007 with a not-to-exceed amount of \$140,000.
- Section 4. The City Manager is hereby authorized to conduct negotiations with Motorola, Incorporated, to establish a new contract for radio maintenance services. Any contract resulting from such negotiations is to be brought before City Council for approval.

Adopted by the City of Sacramento City Council on May 29, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk