



## MEMORANDUM

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** Brooke A. Levin  
Interim Public Works Dir.

**SUBJECT:** Contract for Operation and  
Management of Parking Facilities

**DATE:** November 4, 2013

City Administrator

Date

Approval /s/ Deanna J. Santana

11/04/13

### INFORMATION

The purpose of this Information Memo is to explain the “code of communication” and current status of a competitive request for proposals (RFP) for the operation and management of eight (8) City-owned parking facilities.

On June 18, 2013, Public Works advertised the RFP and, on June 25, prospective Primes and Subcontractors attended a mandatory pre-proposal meeting. At that meeting, staff explained that it is City policy supporting process integrity and, as stated in the RFP, that Contractors or Prospective Contractors may **only** contact City staff identified in the RFP and are expressly prohibited from discussing the RFP with other staff, City agents and elected officials and from influencing the contractor selection process or award of the contract. These prohibitions extend to Subcontractors and Lobbyists working with or for a prospective Prime contractor.

It is important to note that if someone contacts you regarding the parking facilities RFP, please refer them to the Project Manager, Mr. Michael Ford, at 510-238-7670 or [mford@oaklandnet.com](mailto:mford@oaklandnet.com). All documents regarding the RFP are posted on the City’s official “iSupplier” website and on CIPList.com.

In support of this policy, staff read aloud Section III.12 of the RFP (“Communications Prior to Contract Award”) at the pre-proposal meeting. Prime proposers were then required to sign two documents, an Attestation of Compliance (Appendix A.4 of the RFP) and a Certification of Regarding Lobbying (Appendix A.5), acknowledging their receipt and understanding of this code of communication and the restrictions it involves. Staff explained that such requirements were designed to help ensure that the competitive process remained as fair and objective as possible. Representatives of thirteen firms completed these requirements.

The code of communication specifies that these conditions will remain in effect until the date the contract award is approved by the City Council. However, staff recognizes that these same conditions do not extend to public forums such as Council or Committee hearings.

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Four teams submitted responsive proposals to the RFP and an independent panel was convened to carry out the evaluation process. The panel completed its work in September and staff has prepared a report and resolution, scheduled to be presented to the Council's Public Works Committee on November 12, that would direct the City Administrator to negotiate with the top-ranked team and to return to Council for authorization to enter into a new contract.

Staff notified respondents on November 1 with the results of the evaluation process and the recommendation to award a new contract. According to the RFP, respondents will have five working days to submit a written notice of protest of contract award to the project manager.

As noted earlier in this information memo, if someone contacts you regarding the parking facilities RFP, please refer them to the project manager, Mr. Michael Ford, at 510-238-7670 or [mford@oaklandnet.com](mailto:mford@oaklandnet.com). All documents regarding the RFP are posted on the City's official "iSupplier" website and on CIPList.com.

Respectfully submitted,

/s/

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BROOKE A. LEVIN  
Interim Director, Public Works