

Henry, Nocoasha

From: Henry, Nocoasha
Sent: Thursday, September 22, 2011 3:35 PM
To: 'bunkse@redfelx.com'
Cc: Hicks, Antone; Barnes, Deborah; Ortiz, Celso; Fierro, Rocio
Subject: Redflex - Extension agreement
Attachments: Redflex Revised Amendment 09222011.pdf

Hello Mr. Bunkse,

The City Attorney as approved the insertion of the language. Attached, please find the revised Amendment.

It has been a pleasure working and talking with you and your staff. I look forward to receiving the revised documents.

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Nocoasha L. Henry

Administrative Analyst II
 City of Oakland
 Office of the City Administrator
 Contracts and Compliance
 (formerly The Department of Contracting and Purchasing, Contract Administration Division)
 250 Frank H. Ogawa Plaza, Suite 3341
 Oakland, CA 94612

Main: 510-238-3621
 F: 510-238-6267
 P: 510-238-5222
 Email: nhenry@oaklandnet.com

From: Henry, Nocoasha
Sent: Thursday, September 22, 2011 11:20 AM
To: 'Chuck Uhler'; 'Tamara Dietrich'
Cc: Williams, Sharon J; Hicks, Antone; Ortiz, Celso; Fierro, Rocio; Barnes, Deborah; Perkins, Cynthia
Subject: Redflex - Extension agreement

Hello Tamara and Chuck,

I have spoken with our City Attorney and was advised that it is not necessary to change the amendment

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to reflect the California name or to include the additional paragraph that was incorporated in the amendment you provided to me.

Since the original agreement was entered into with Redflex Traffic Systems Inc. and not Redflex Traffic Systems (California) Inc., we are requesting that you resign the amendment attached and revise the previous Schedules submitted to reflect Redflex Traffic Systems, Inc.

We do realize that we are fast approaching the expiration of the original agreement and are committed to moving as fast as possible on expediting the amendment. Therefore, please send the revised documents as a PDF (hopefully today) and originals FedEx to my attention.

I have also left the above information as a voicemail message for both of you. If you have any questions, please feel free to email me or give me call.

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MAKING A **SAFER** WORLD.

September 8, 2011

Ms. Nocoasha Henry
Administrative Analyst II
City of Oakland – Office of the City Administrator
Contracts and Compliance
250 Frank H. Ogawa Plaza, Suite 3341
Oakland, California 94612

RECEIVED
CONTRACT ADMINISTRATION
2011 SEP 23 PM 1:46

Re: Amendment to the August 31, 2007 agreement between the City of Oakland and Redflex Traffic Systems, Inc.

Ms. Henry,

Pursuant to your requests, please find the attached executed Amendment No. 1, as well as all requested documentation and Schedules relating to the renewal of the August 31, 2007 agreement between the City of Oakland and Redflex. I'm extremely appreciative of your assistance with this process.

As detailed in the attached August 25, 2011 Schedule B-2 Declaration of Compliance with the Arizona Resolution #82727, Redflex Traffic Systems (California), Inc., is headquartered in Culver City, California and is the corporation in direct contract with the City of Oakland.

In the abundance of full disclosure, we are attaching completed City of Oakland disclosure forms for both Redflex Traffic Systems (California), Inc. and Redflex Traffic Systems, Inc. (A Delaware corporation, headquartered in Phoenix, Arizona). Although Redflex Traffic Systems (California), Inc. is the corporation in direct contact with the City of Oakland, all employee benefits for both entities are administered through Redflex Traffic Systems, Inc. (the Delaware corporation).

Upon review of this submission if you or any of your colleagues have any questions or concerns please do not hesitate in contacting me. Thank you in advance for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Chuck Uhler / rtd".

Chuck Uhler
Account Manager
Northern California

Enclosures



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Enclosures: Redflex Traffic Systems, Inc. Schedules

- Schedule C-1 - Compliance With The Americans With Disabilities Act *
- Schedule D - Ownership, Ethnicity and Gender Questionnaire *
- Schedule E - Project Consultant Team Form *
- Schedule K – Pending Dispute Disclosure Form *
- Schedule M - Part A Part B Independent Contractor Questionnaire *
- Schedule N - Declaration Of Compliance With Living Wage Ordinance (Professional Services and Design Build Projects only)
- Schedule N-1 - Equal Benefits Declaration Of Nondiscrimination
- Schedule O - Disclosure of Campaign Contributions Form



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September 8, 2011

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Sincerely,

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Chuck Uhler
Account Manager
Northern California

Enclosures

Henry, Nocoasha

From: Henry, Nocoasha
Sent: Wednesday, September 21, 2011 11:50 AM
To: Ortiz, Celso; Barnes, Deborah; Macaulay, Amber
Cc: Hicks, Antone; Fierro, Rocio; Moreno, Doryanna
Subject: Redflex red light camera Contract amendment 9_11 (Henry).nrl
Attachments: Schedule B1-B2-M-Business Tax.pdf

Hello All,

Attached, please find Schedule B1 and B2, Schedule M and Oakland Business tax for your review. Also, I have also received a phone call from Redflex's representative Tamara Dietrich, Director of Legislative Affairs and she has advised me that if we wanted to set up a conference call to discuss Schedule B, she would be inclined to facilitate this conference call. Please let me know how to proceed.

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From: Ortiz, Celso
Sent: Wednesday, September 21, 2011 9:38 AM
To: Barnes, Deborah; Henry, Nocoasha; Macaulay, Amber; Hicks, Antone
Cc: Hicks, Antone; Fierro, Rocio; Moreno, Doryanna
Subject: RE: Redflex red light camera Contract amendment 9_11 (Henry).nrl

Debbie, gracias!

Antone/Nocoasha, can you confirm that Redflex is headquartered in Arizona or not?

9/21/2011

If they are, Antone can you follow-up with Chief Batts with respect to the B-1 Schedule to see if he wishes to submit a justification for waiver?

Thanks.

From: Barnes, Deborah
Sent: Tuesday, September 20, 2011 6:53 PM
To: Ortiz, Celso; Henry, Nocoasha
Cc: Hicks, Antone; Fierro, Rocio; Moreno, Doryanna
Subject: RE: Redflex red light camera Contract amendment 9_11 (Henry).nrl

Hi Celso and Nocoasha,
 The Arizona Ordinance allows for Arizona businesses with a justification by the using agency head only. They must complete the attached B-1, sign and submit with agreement.

I have also attached the B-1 Schedule and the Arizona memo distributed city wide.

D. Lusk-Barnes, Director
 City of Oakland, Office of the City Administrator
 Contracts and Compliance
 250 Frank Ogawa Plaza
 Oakland, Ca. 94612

From: Ortiz, Celso
Sent: Tuesday, September 20, 2011 5:23 PM
To: Henry, Nocoasha; Barnes, Deborah
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Subject: RE: Redflex red light camera Contract amendment 9_11 (Henry).nrl

Who in Contract Compliance can investigate whether Redflex is headquartered in Arizona? I do not want a repeat of what occurred with the Billboard contract. Let's discuss but I think it is Compliance's call.

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Cc: Hicks, Antone; Fierro, Rocio
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Celso,

We are fast approaching the expiration of this agreement on September 25, 2011. Please let me know as soon as possible. I think that the City will have penalties assessed to the project if we do not get an approval for this agreement.

I also left this email as a voicemail.

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Main: 510-238-3621
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 Email: nhenry@oaklandnet.com

From: Fierro, Rocio
Sent: Sunday, September 18, 2011 11:07 PM
To: Ortiz, Celso; Henry, Nocoasha; Hicks, Antone
Subject: FW: redflex red light camera Contract amendment 9_11 (Henry).nrl
Importance: High

Colleagues:

I'm inclined to approve the amendment but will defer to Celso since I did not approve the original contract. Note that I had a death in my family and will be out of the office until Thursday.

Thanks.

Rocio

From: Fierro, Rocio
Sent: Sunday, September 18, 2011 11:04 PM
To: Ortiz, Celso
Subject: redflex red light camera Contract amendment 9_11 (Henry).nrl

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companies one of which is a Delaware Corp headquartered in Arizona. All companies are owned by Australian company.

I did not approve the original contract; however, I've reviewed the contract reference to the Arizona ordinance which requires only that depts., to the extent possible, discontinue contracts w/ companies "headquartered" in Arizona.

For two reasons, I'm inclined to approve this amendment, but would like to run this by you first:

1. City's contract is with Cal company headquartered in the state (except that Sect of State certificate shows the address as Arizona, but see Redflex Statement attached);
2. Staff tells me the contract was disclosed to council after the Arizona resolution, and council allowed it to continue since Redflex is only company that can provide the cameras and it's headquartered in the state (even though it's part of an affiliation of companies one of which is headquartered in Arizona.
3. Question is whether contractor can modify above two provisions via a contract amendment.

I will cc Nocoasha & Antone so you can get back to all of us with your recommendations. I'll cc all of you separately and w/o the attachments since staff already has them.

Thanks, Celso

Rocio V. Fierro
Supervising Deputy City Attorney/OPD General Counsel
Oakland City Attorney's Office
(510) 238-6511

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