

2011 NOV 18 AM 8:59

TO: Office of the City Administrator
ATTN: Deanna J. Santana
FROM: Community & Economic Development Agency
DATE: November 29, 2011

RE: Adopt A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute An Amendment To An Agreement With Management Partners, Inc. For The Management Review Of The Building Services Division Within The Community & Economic Development Agency For A New Total Not To Exceed \$185,000; 2) Waive The Competitive Procurement Process For This Agreement; And 3) Waive Local and Small Local Business Enterprise Requirements

SUMMARY

Staff is requesting that the City Council adopt a resolution to waive competitive procurement and the Local and Small Local Business Enterprise (LBE/SLBE) requirements, and authorize the City Administrator to negotiate and execute an amendment to an agreement with Management Partners, Inc. (MP) to perform a management review of the Building Services Division (BSD) within the Community & Economic Development Agency (CEDA).

FISCAL IMPACT

Funding for this agreement is appropriated in the Development Services Fund (2415), CEDA Operations Organization (88149), Contract: Professional Services (54930). The initial contract executed under the City Administrator's authority totaled \$60,300. The amendment to the agreement to include a full management review of BSD is estimated to cost an additional \$125,000; therefore staff is requesting authority for a new contract amount not to exceed \$185,000.

BACKGROUND

In March 2011, CEDA issued a Request For Qualifications (RFQ) to solicit bids with the following deliverables contemplated for its Code Enforcement program:

1. Mapping of the City's current Code Enforcement processes
2. An assessment of best practices followed by other jurisdictions
3. Recommendations for revisions to the City's processes
4. Analyze alternative funding and collection mechanisms

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5. Recommended prioritization of competing demands upon the City's Code Enforcement section in a limited resource environment
6. Develop succession planning strategies
7. Implementation workplans for incorporating all recommendations

MP submitted a proposal and was selected to be the contractor to perform work in the initial scope. MP has extensive experience in assisting local government organizations, and specifically building and code enforcement departments, meet service demands, improve effectiveness and streamline operations. The organization is staffed by professionals with expertise and extensive experience in building and code enforcement departments, as well as knowledge of best practices around the country.

Since the publication of the Alameda County Civil Grand Jury (ACCGJ) report in June 2011, which examined code enforcement activities of the Building Services Division (BSD) of the Community and Economic Development Agency (CEDA), additional work is necessary to include a broader management review of the BSD. In addition, the City Council at its September 20, 2011 meeting passed a motion which included conducting a management review of the Building Services Division.

KEY ISSUES AND IMPACTS

Staff recommends waiving competitive bidding and negotiating an amendment to the MP contract for the additional scope of work to include a full management review of BSD. This will enable MP to build on the previously awarded work related to code enforcement, which brings with it economies of scale with regard to time and cost to complete the review and recommendations.

Staff is also requesting a waiver of LBE/SLBE requirement. After completing an availability analysis, contract compliance staff in the City Administrator's office determined there are currently not three certified Oakland-based businesses that perform public sector consulting in the area of code enforcement or development review services, which is necessary for this work.

MP is headquartered in Cincinnati, Ohio, but has satellite offices in San Jose and Orange County. As noted above, MP was selected through a RFQ process, and has extensive expertise in local government – specifically in development review and code enforcement services. MP does employ two Oakland residents who are on the seven-member team that would help perform this work.

PROJECT DESCRIPTION

The project will expand upon work already initiated within the Code Enforcement Section of BSD by completing a full management review of the entire Division.

The scope of work is expected to include the following activities and deliverables:

1. Conduct interviews and surveys with employees and other stakeholders;
2. Facilitate task force meetings;
3. Review program areas, including: organizational structure, internal controls, span of control, accountability mechanisms, operational issues, etc.;
4. Research program-specific best practices, including: delegated authority, contracting, and appeals process;
5. Report on a final action plan; and
6. Implementation support.

The original contract with MP includes some of these activities, but in a more narrow focus specifically for the code enforcement section of BSD.

SUSTAINABLE OPPORTUNITIES & DISABILITY AND SENIOR CITIZEN ACCESS

There are no impacts on sustainable opportunities or accessibility anticipated from this proposed contract.

RECOMMENDATION AND RATIONALE

Staff recommends that the City Council waive competitive bidding and LBE/SLBE requirements, and authorize the City Administrator to negotiate and award a contract amendment to Management Partners, Inc. to complete a full management review of Building Services Division as part of priority improvement needs.


ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council approve the resolution which accompanies this report.

Respectfully submitted,



Fred Blackwell, Assistant City Administrator
Community & Economic Development Agency

Reviewed by: 
Eric Angstadt, Deputy Director of CEDA

Prepared by:
Sarah T. Schlenk, Agency Administrative Manager

APPROVED AND FORWARDED TO THE
COMMUNITY & ECONOMIC
DEVELOPMENT COMMITTEE:



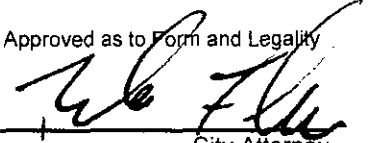
Office of the City Administrator

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

ADOPT A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) NEGOTIATE AND EXECUTE AN AMENDMENT TO AN AGREEMENT WITH MANAGEMENT PARTNERS, INC. FOR THE MANAGEMENT REVIEW OF THE BUILDING SERVICES DIVISION WITHIN THE COMMUNITY & ECONOMIC DEVELOPMENT AGENCY FOR A NEW TOTAL NOT TO EXCEED \$185,000; 2) WAIVE THE COMPETITIVE PROCUREMENT PROCESS FOR THIS AGREEMENT; AND 3) WAIVE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE REQUIREMENTS

WHEREAS, the City of Oakland wishes to enter into an amendment to an agreement with Management Partners, Inc. to conduct a full management review of Building Services Division within the Community & Economic Development Agency; and

WHEREAS, in March 2011 a Request for Qualifications was issued to conduct specific deliverables for the Code Enforcement Unit of the Building Services Division; and

WHEREAS, Management Partners, Inc. was selected as the contractor to perform the work contemplated in that Request for Qualifications; and

WHEREAS, Work initiated by Management Partners, Inc. on the Code Enforcement Unit can be built upon and expanded to include a full management review of the Building Services Division with expected deliverables outlined in the City Administrator's report accompanying this item; and

WHEREAS, efficiencies in time and cost will be realized by utilizing Management Partners, Inc. for the full management review of the Building Services Division; and

WHEREAS, Management Partners, Inc. has extensive experience in assisting local government organizations, and specifically building and code enforcement departments, meet service demands, improve effectiveness and streamline operations, staffed by professionals with expertise and extensive experience in all aspects of public management as well as knowledge of best practices around the country; and

WHEREAS, an availability analysis conducted by the City's Contracting Unit determined there are not three certified Local/Small Local Businesses to conduct twenty percent of the contract work, and therefore the L/SLBE may be waived; and

WHEREAS, funding is available for this contract amendment with a new total not to exceed \$185,000 in the Development Services Fund (2415), CEDA Director's Unit (88149), Professional Services (54930); now, therefore be it

RESOLVED, that pursuant to Oakland Municipal Code Section 2.04.51.B and based on the information set forth in the City Administrator's report accompanying this item and the provisions of this resolution, the City Council finds and determines that it is in the City's best interest to waive the competitive procurement process for the professional services contract to conduct a full management review of Building Services Division; and be it

FURTHER RESOLVED, that the City Council hereby waives the Local/Small Local Business Enterprise requirements; and be it

FURTHER RESOLVED, that the City Administrator is hereby authorized to execute an amendment to the agreement with Management Partners to include a full management review of Building Services Division in a new total amount not to exceed \$185,000; and be it

FURTHER RESOLVED, that the agreement authorized hereunder is subject to City Attorney approval for form and legality and shall be placed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California