


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

1. **AUTHORIZING THE CITY ADMINISTRATOR TO AWARD TWO CONTRACTS TO INTERWEST CONSULTING GROUP, INC. (“INTERWEST”) AND 4LEAF, INC. IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) EACH FOR AS NEEDED ON-CALL PERMIT SUPPORT SERVICES FOR A THREE (3) YEAR TERM WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL ONE YEAR TERMS BASED ON A REQUEST FOR PROPOSAL (“RFP”) COMPLETED FEBRUARY 16, 2021 AND WAIVING THE CITY'S LOCAL/SMALL LOCAL BUSINESS (L/SLBE) PROGRAM REQUIREMENTS; AND**
2. **WAIVING THE REQUEST FOR PROPOSAL REQUIREMENT AND WAIVING THE CITY'S L/SLBE PROGRAM REQUIREMENTS TO AWARD TWO CONTRACTS TO WEST COAST CODE CONSULTANTS, INC. (“WC3”) AND THE CODE GROUP, INC. (DBA VCA CODE) IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) EACH FOR AS NEEDED ON-CALL PERMIT SUPPORT SERVICES FOR A THREE (3) YEAR TERM WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL ONE YEAR TERMS; AND**
3. **AMENDING RESOLUTION NO. 88174 C.M.S., WHICH ADOPTED THE FISCAL YEAR (FY) 2020-21 MID-CYCLE BUDGET AMENDMENTS, TO APPROPRIATE TWO MILLION DOLLARS (\$2,000,000) FROM THE DEVELOPMENT SERVICES FUND (FUND 2415) FUND BALANCE TO FINANCE THE FOUR (4) CONTRACTS AWARDED TO PROVIDE AS NEEDED ON-CALL PERMIT SUPPORT SERVICES.**

WHEREAS, the Bureau of Building in the Planning and Building Department (“PBD”) assists builders, property owners, architects, engineers, and realtors in understanding and processing permits related to building construction; and

WHEREAS, one of the many functions of PBD is to review and approve building proposals for compliance with the current edition of the California Building Standards Code (Title 24 of the California Code of Regulations) and local amendments to the California Building Standards Code, which can be found in the Oakland Building Construction Code (Oakland Municipal Code (“OMC”) Chapter 15.04) and the Oakland Building Maintenance Code (OMC Chapter 15.08); and

WHEREAS, the review and processing of a building project application for code compliance is a critical component and a required step to ensure that structures are built in accordance with all applicable laws and regulations, including safety, accessibility, and energy conservation; and

WHEREAS, permit review and processing duties must be completed within a reasonable timely manner; and

WHEREAS, professional on-call permit processing support services are necessary to facilitate the timely completion of both existing projects in development, and increased new and redevelopment application activity; and

WHEREAS, PBD anticipates that permit applications for private development projects of all sizes may benefit from on-call permit processing and support services agreements; and

WHEREAS, on-call permit processing services will be fully funded by applicants requesting these services; and

WHEREAS, permit processing and support services will be later repaid by permit fees paid by requesting applicants; and

WHEREAS, on February 16, 2021, the City received two (2) responsive and qualified proposals submitted by Interwest and 4Leaf, Inc. in response to a competitive RFP process pursuant to OMC Section 2.04.051 for professional consulting services for as-needed on call permit support services, specifically plan review and telecommunications review; and

WHEREAS, PBD recognizes the need for augmented staffing capacity, and as a result PBD is seeking to include WC3 and VCA Code, two firms with whom the City has existing professional service agreements for other permitting related services and which submitted proposals dated February 16, 2021 and February 20, 2021, respectively; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that it is in the best interests of the City to waive the RFP requirement to award contracts to WC3 and VCA Code for as needed on-call permit support services pursuant to OMC Section 2.04.051; and

WHEREAS, PBD requests that the City Council waive the City's L/SLBE program requirements in order to execute all four contracts because the Department of Workplace and Employment Standards has confirmed one of the four selected consultants--4Leaf,Inc.--achieved 50% LBE participation but did not meet the 25% SLBE requirement; and

WHEREAS, on June 23, 2020, City Council passed Resolution No. 88174 C.M.S., which adopted the 2020-21 Mid-Cycle Budget Amendments; and

WHEREAS, PBD requests that the City Council amend Resolution No. 88174 C.M.S. to appropriate Two Million Dollars (\$2,000,000) from the Development Service Fund (2415) fund balance to the Development Services Fund (2415), Engineering: Permit Center (84421), DP840 Administrative Project (1000018), A Project to be Determined, and Engineering & Architectural Plan Approval (PS30) program to finance the four (4) contracts awarded for the provision of as needed on-call permit support services; and

WHEREAS, the City Council finds that the agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to award two contracts to Interwest and 4Leaf, Inc. in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) each for as needed on-call permit support services for a three (3) year term with the option to extend for two (2) additional one-year terms at the discretion of the City based on the RFP completed on February 16, 2021; and be it

FURTHER RESOLVED: That the City Council finds that it is in the best interest of the City to waive the RFP requirement pursuant to OMC Section 2.41.051 to award two (2) contracts to WC3 and VCA Code in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) each for as needed on-call permit support services for a Three (3) year term with the option to extend for Two (2) additional one-year terms at the discretion of the City; and be it

FURTHER RESOLVED: That the City Council hereby finds that a waiver of the City's L/SLBE program requirements for Interwest, 4Leaf, Inc., WC3, and VCA Code is in the best interests of the City for the reasons set forth herein and in the staff report accompanying this Resolution, and hereby waives this requirement; and be it

FURTHER RESOLVED: That the City Council amends Resolution No. 88174 C.M.S., which adopted the FY 2020-21 Mid-Cycle Budget Amendments, to appropriate Two Million Dollars (\$2,000,000) from the Development Services Fund (2415) fund balance to the Development Services Fund (2415), Engineering: Permit Center (84421), DP840 Administrative Project (1000018), A Project to be Determined, and Engineering & Architectural Plan Approval (PS30) program to finance the four (4) contracts awarded for the provision of as needed on-call permit support services; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office.

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