



Celso Ortiz (Feb 10, 2021 11:33 PST)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Resolution Authorizing The City Administrator Or Designee To (1) Increase The Contract For The Citywide Street And Urban Park Tree Inventory And Oakland's Urban Forest Master Plan (UFMP) With Davey Resource Group, Inc. (DRG) In The Amount of Forty-Six Thousand (\$46,000), From Six Hundred And Twenty-Five Thousand Dollars (\$625,000) To A Grand Total Amount of Six Hundred And Seventy-One Thousand Dollars (\$671,000) So That DRG May Subcontract With Local Community Organizations That Will Provide Equitable Community Engagement Process Support Services, And (2) Waive The Request For Proposals/Qualifications Requirement

WHEREAS, in 2018, the City Council approved Resolution No. 87388 C.M.S., which:

- (1) authorized the appropriation of California Department of Forestry and Fire Protection (Cal Fire) grant funds in an amount up to \$970,130.08,
- (2) waived the Request For Proposal/Request For Qualifications (RFP/RFQ) competitive selection requirement pursuant to Oakland Municipal Code (OMC) Section 2.04.051.B,
- (3) authorized the City Administrator to enter into a contract with Oakland Climate Action Coalition (OCAC) for \$46,000, and
- (4) authorized the City Administrator to enter into a contract with Davey Resources Group, Inc. (DRG), the successful proposer to the competitive Request for Proposals for a Citywide Street and Urban Park Tree Inventory and Oakland's Urban Forest Master Plan in a contract amount of \$625,000; and

WHEREAS, after the City Council approved Resolution No. 87388 C.M.S., OCAC declined to enter into contract with the City of Oakland; and

WHEREAS, to replace OCAC's community outreach support services, the City Administrator and Public Works staff wishes to increase DRG's contract in the amount of \$46,000 so that DRG may subcontract with local community organizations to provide community engagement support services to DRG to reach under-served communities; and

WHEREAS, these services will be an integral part of the equity-driven, equitable community engagement process, to be conducted by DRG and the community organizations, in coordination with the Department of Race and Equity and Oakland Public Works; and

WHEREAS, staff recommends that the Council approve the increase of the contract with DRG by \$46,000, from \$625,000 to a grand contract total amount of \$671,000; and

WHEREAS, to increase DRG's existing contract amount, OMC section 2.04.051 A requires that the City conduct a competitive Request For Proposals/Qualification ("RFP/Q") process for the award of professional, technical or specialized services contracts that exceed fifty thousand dollars (\$50,000.00) and are exempt from bidding under OMC Subsection 2.04.050.1.1; and

WHEREAS, OMC section 2.04.051 B allows the waiver of the RFP/Q competitive selection requirement when the Council finds and determines that it is in the best interest of the City to do so; and

WHEREAS, it is in the best interests of the City to waive the RFP/Q requirement because:

(1) The City has identified several community groups throughout the City, most of which were involved with the recent Environmental Climate Action Plan (ECAP) process;

(2) These community organizations are small and unable to meet the City's rigorous contracting requirements in order to enter into a contract directly with the City;

(3) The City requested proposals for this project from the City's on-call community engagement contractors and there were no responses;

(4) DRG has done this exact process before in other cities where they have completed urban forest master plans;

(5) The grant funding source, Cal Fire, does not prohibit contracting for community engagement services with DRG; and

(6) The City is under a tight timeline to complete this very critical project by March 30, 2022 and needs to access the \$46,000 as soon as possible to start the community engagement process in time to meet this deadline.

Now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that it is in the best interest of the City to waive the RFP/Q competitive selection requirement per OMC section 2.04.051 B because of the reasons set forth herein and in the staff that accompanies this Resolution, and so does hereby waive the requirement; and

FURTHER RESOLVED: That the City Council hereby approves increasing DRG's contract amount from \$625,000 to \$671,000 by reallocating an amount of \$46,000 from Fund 2159, Organization 30654, Account 56611, Project 1004792 to Account 54919 for the purpose of DRG subcontracting with local community groups in Oakland that will assist in reaching underserved communities for the equity-driven community engagement process led by DRG in coordination with the Department of Race and Equity and Oakland Public Works.

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