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Approved as to Form and Legality

**OAKLAND CITY COUNCIL**

  
City Attorney

**RESOLUTION No. 87561 C.M.S.**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SIX MONTH EXTENSION AND INCREASE APPROPRIATIONS FOR EXISTING ON-CALL PROFESSIONAL SERVICE AGREEMENTS WITH (1) HR MANAGEMENT, INC., (2) ROBERT HALF INTERNATIONAL AND (3) TEMPOSITIONS, INC. TO PROVIDE TEMPORARY EMPLOYMENT AGENCY SERVICES ON AN AS-NEEDED AND ROTATING BASIS AT A COST NOT TO EXCEED \$600,000 PER CONTRACT, WHICH IS AN INCREASE OF \$350,000 PER CONTRACT, FOR A TOTAL CONTRACTING COST NOT TO EXCEED \$1,800,000 THROUGH DECEMBER 1, 2020 AND WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS**

**WHEREAS**, Article IX, Section 902e of the Charter of the City of Oakland authorizes the City Council to provide for temporary employment services; and

**WHEREAS**, the City Council finds that the performance of the service by contract, is in the public interest because of operational efficiency in conducting City business; and

**WHEREAS**, existing budgeted allocations for personnel and contracted services within City departments shall be used to fund the temporary agency services as needed; and,

**WHEREAS**, fiscal impacts are assessed at the time a temporary staffing need arises, any temporary assignment will be funded by the requesting department personnel or special project allocations per the City of Oakland fiscal year (FY) 2017-19 Adopted Budget; and

**WHEREAS**, approval of these contracts does not require the allocation of additional funding, the cost of administering temporary employment agency services including monitoring agency performance are allocated within the Human Resource Management Department's current budget; and

**WHEREAS**, the City had undertaken an extensive Request for Proposal (RFP) process in May 2016 which resulted in the selection of three (3) firms in July 2017 including HR Management, Inc., Robert Half International, TemPositions, Inc., to provide on-call temporary employment services on an as-needed and rotational basis for the City; and

**WHEREAS**, the three agencies, HR Management, Inc., Robert Half International, and TemPositions, Inc., have reached the not-to-exceed amount of \$250,000; and

**WHEREAS**, completing the new Request for Proposal cycle would take several months which would impede the City's ability to staff critical temporary absences and short-term assignments that arise unexpectedly and require an immediate staffing solution; and

**WHEREAS**, the City urgently needs to have highly-qualified temporary employment agencies available to fill critical short-term positions and the ability to provide services in accordance to City policy; and

**WHEREAS**, all three firms, HR Management, Inc., Robert Half International and TemPositions, Inc. have been vetted previously through a formal RFP process and have demonstrated the capability to effectively assist the City in providing highly qualified candidates for immediate and short-term assignments; and

**WHEREAS**, it would be prudent and efficient for the City to continue to work with HR Management, Inc., Robert Half International and TemPositions, Inc. to support temporary staffing requirements; and

**WHEREAS**, the Oakland Municipal Code section 2.04.051.A requires the City Administrator to conduct a Request for Proposal (RFP) process for professional services contract in excess of \$50,000 and Oakland Municipal Code section 2.04.051.B allows Council to waive the RFP requirements upon a finding by the Council that is in the best interest of the City to do so; and

**WHEREAS**, City staff recommends waiving the RFP requirements for this contract increase and extension for the reasons stated above; now therefore be it,

**RESOLVED**, that the City finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporate them into this resolution; and be it

**FURTHER RESOLVED**, that the competitive RFP process is hereby waived in the best interest of the City based on the forgoing findings; and be it

**FURTHER RESOLVED**, that pursuant to Oakland Municipal Code section 2.04.051.B and for the reasons stated above and in the Human Resource Management Director's report accompanying this item, the City Council finds that is in the best interest of the City to waive the RFP requirements for this contract and so waives the requirements; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator to execute a six-month extension for the on-call contracts with (1) HR Management, Inc., (2) Robert Half International and (3) TemPositions, Inc. to provide temporary employment services on an as-needed and rotating basis at a cost of \$600,000 per contract for a total contracting cost not to exceed \$1,800,000 through December 1, 2020; and be it

**FURTHER RESOLVED**, that based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

**FURTHER RESOLVED**, that the funding will be available from salary saving in departments seeking temporary employment services upon the existence of such vacancies; and be it

**FURTHER RESOLVED**, that the City Attorney will approve the contracts as to form and legality and copies will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 26 2019

**PASSED BY THE FOLLOWING VOTE:**

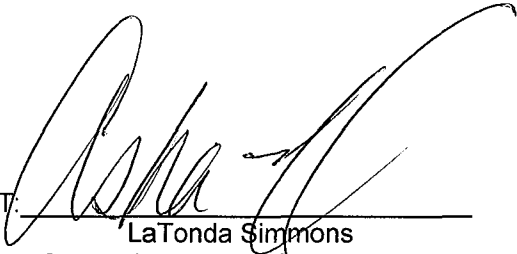
AYES – FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, , TAYLOR, THAO and PRESIDENT KAPLAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

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