



FILED  
OFFICE OF THE CITY CLERK  
2014 MAY 15 AM 9:39

# AGENDA REPORT

**TO:** FRED BLACKWELL  
CITY ADMINISTRATOR

**FROM:** Gregory Hunter  
Neighborhood Investment Manager

**SUBJECT:** Extend and Increase Contract with  
Men of Valor Academy

**DATE:** April 28, 2014

City Administrator  
Approval

Date

5/14/14

**COUNCIL DISTRICTS: 5, 6, 7**

## RECOMMENDATION

Staff recommends that the City Council adopt the following legislation:

**A City Resolution Amending Resolution No. 83370 C.M.S. Authorizing A Services Agreement With Men Of Valor Academy To Provide Graffiti Abatement In The Coliseum And Central City East Redevelopment Project Areas In The Amount Of \$165,050 To (1) Add The Oakland Redevelopment Successor Agency (ORSA) As Party, (2) Expand The Scope To Include Maintenance Of City And ORSA Properties, (3) Extend The Contract Period By Three Years, And (4) Increase The Contract Maximum Amount By \$240,000 To A New Cap Of \$405,050**

**An Oakland Redevelopment Successor Agency (ORSA) Resolution Authorizing The ORSA To Be Added As A Party To The Professional Services Agreement Between The City Of Oakland And Men Of Valor Academy, And Allocating ORSA Funds For The Portion Of The Contract Dealing With The Maintenance Of ORSA Properties**

## EXECUTIVE SUMMARY

Oakland Redevelopment Successor Agency (“ORSA”) staff seeks authorization to extend and increase the as-needed services contract with Men of Valor Academy (“Men of Valor”) approved by the City Council in Resolution No. 83370 C.M.S., so that Men of Valor can continue to provide job training services and carry out maintenance activities on former Redevelopment Agency properties in the Coliseum and Central City East Redevelopment Project Areas. Staff also seeks approval for ORSA to become a party to the agreement between the City and Men of Valor, to facilitate payment of Men of Valor with Redevelopment Property Tax Trust Funds (“RPTTF”) authorized for the maintenance of ORSA properties under the Recognized Obligation Payment Schedule (“ROPS”).

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CED Committee  
May 27, 2014

## **OUTCOME**

Approving the resolutions will enable the City Administrator to extend and increase the contract with Men of Valor and add ORSA as a party to the agreement, so that ORSA staff will be able to continue using Men of Valor to perform light maintenance work such as graffiti abatement, weed trimming and litter pickup on former redevelopment properties on an as-needed basis in the Central City East and Coliseum Redevelopment Project Areas.

## **BACKGROUND/LEGISLATIVE HISTORY**

On May 17, 2011 the City Administrator's Contracts and Compliance division released a formal Request for Proposals (RFP) for non-profit institutions or contractors partnering with non-profits to provide job training and graffiti abatement services in the former Oakland Redevelopment Agency ("ORA") Project Areas. Men of Valor was the only firm to respond for the Coliseum and Central City East areas.

At the same time, in preparation for the imminent dissolution of the ORA, the City endeavored to protect ORA funds by entering into enforceable obligations as quickly as possible. On May 17, 2011, the Oakland City Council adopted Resolution No. 83370 C.M.S. to waive competitive bidding and authorize the City Administrator to award contracts for many ORA-funded projects, including graffiti abatement in the Coliseum and Central City East Redevelopment Project Areas. The City entered into an agreement for as-needed services with Men of Valor effective July 22, 2011, and amended the agreement with Men of Valor effective May, 16, 2013 to extend the time of performance until August 31, 2015.

The California Department of Finance eventually determined that contracts signed after June 27, 2011 were not sufficient justification for expenditure of former redevelopment funds, but also determined that ORSA could spend RPTTF funds on property maintenance. After the state's decision, the primary use of the Men of Valor contract shifted gradually from graffiti abatement on private property to graffiti abatement and other blight abatement activities on former ORA properties. Men of Valor has performed tremendously throughout the agreement, and there is a continuing need for their services to abate graffiti, litter and weeds on former redevelopment properties in the Central City East and Coliseum Redevelopment Project Areas.

## **ANALYSIS**

Increasing and extending the contract with Men of Valor will enable ORSA to maintain former redevelopment properties so that their condition does not detract from City and ORA goals of reducing blight and fostering economic development, while continuing to support a respected local non-profit job training organization.

**PUBLIC OUTREACH/INTEREST**

The formal RFP issued by the City Administrator's Contracts and Compliance division prior to executing an agreement with Men of Valor included postings in the Oakland Tribune and dissemination of information about the opportunity to several non-profits in addition to the firms already on the City's list of approved local contractors.

**COORDINATION**

ORA staff coordinated with Contract Administration staff to issue the formal RFP which preceded the execution of the agreement with Men of Valor. This staff report and resolutions have been reviewed by the Office of the City Attorney and by the City Administrator's Budget Office.

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT  
Approving the resolutions will enable the City Administrator to raise the contract cap with Men of Valor by \$240,000. The contract specifies that work is to be performed on an as-needed basis upon request by the City, so increasing the contract cap as proposed does not in itself obligate funds.
2. SOURCE OF FUNDING:  
Funding from the ORSA Agency-wide ROPS (Items 4 and 5); from the Successor Redevelopment Agency Coliseum Operations Fund (9750), Coliseum Redevelopment Org (85242), Coliseum Building Demolition Project (S467810) for the Coliseum Redevelopment Project Area (ROPS Items 242 and 243); and the Successor Redevelopment Agency Central City East Operations Fund (9740), Central City East Redevelopment Org (85246), Central City East Building Demolition Project (S467610) for the Central City East Redevelopment Project Area (ROPS Items 198 and 199)
3. FISCAL IMPACT:  
RPTTF funds are limited to uses approved on the ROPS and if not used by ORSA are to be returned to the taxing entities. There is no anticipated impact to the General Purpose Fund.

**PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Men of Valor's performance on a similar, smaller contract with ORA in 2011 was evaluated as outstanding. Project Implementation staff formally evaluate firms at the conclusion of contracts,

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and since the existing contract is open, a formal evaluation has not been submitted. Men of Valor has submitted regular graffiti abatement tracking sheets to document the work they performed abating graffiti on private property and provided photos on request. Project Implementation staff has verified the work performed by Men of Valor through inspection of the work and has observed the crews at work on ORSA sites and abating graffiti on private property. Based on field observation and review of invoices and tracking sheets, staff concludes that Men of Valor have provided excellent service to date under the current agreement.

### **SUSTAINABLE OPPORTUNITIES**


***Economic:*** Men of Valor provides short-term employment and job training to men who are experiencing difficulty finding a job, including ex-offenders. The work that they perform maintaining and abating blight on former redevelopment properties helps to present the properties as viable economic development sites.

***Environmental:*** The services provided by Men of Valor do not have a significant environmental impact, and they improve the appearance of the neighborhoods where they work.

***Social Equity:*** By providing job training and temporary employment to formerly incarcerated, high school drop-out, and homeless men, Men of Valor Academy enables individuals who otherwise have few options for the future to become productive members of the Oakland community.

For questions regarding this report, please contact Daniel Seamans at (510) 238-3250.

Respectfully submitted,

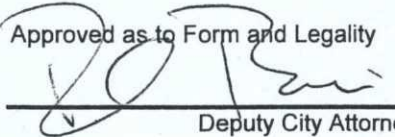
  
Gregory Hunter  
Neighborhood Investment Manager

Reviewed by:  
Larry Gallegos, Project Area Manager

Prepared by:  
Daniel Seamans, Urban Economic Analyst II  
Office of Neighborhood Investment

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CED Committee  
May 27, 2014

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Approved as to Form and Legality  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AMENDING RESOLUTION NO. 83370 C.M.S. AUTHORIZING A SERVICES AGREEMENT WITH MEN OF VALOR ACADEMY TO PROVIDE GRAFFITI ABATEMENT IN THE COLISEUM AND CENTRAL CITY EAST REDEVELOPMENT PROJECT AREAS IN THE AMOUNT OF \$165,050 TO (1) ADD THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY (ORSA) AS PARTY, (2) EXPAND THE SCOPE TO INCLUDE MAINTENANCE OF CITY AND ORSA PROPERTIES, (3) EXTEND THE CONTRACT PERIOD BY THREE YEARS, AND (4) INCREASE THE CONTRACT MAXIMUM AMOUNT BY \$240,000 TO A NEW CAP OF \$405,050**

**WHEREAS**, on May 17, 2011, the Oakland City Council adopted Resolution No. 83370 C.M.S. waiving competitive bidding and authorizing the City Administrator to award contracts for various Redevelopment Agency funded projects including graffiti abatement in the Coliseum and Central City East Redevelopment Project Areas; and

**WHEREAS**, in May 2011 the Contract Administration Office released a formal Request for Proposals (RFP) for such services; and

**WHEREAS**, Men of Valor Academy ("Men of Valor") was the only organization to respond to the RFP; and

**WHEREAS**, the City entered into an agreement with Men of Valor effective July 22, 2011 to provide services including graffiti abatement and job training on an as-needed basis in the Coliseum and Central District Redevelopment Project Areas; and

**WHEREAS**, the City amended the agreement with Men of Valor effective May, 16, 2013, to extend the time of performance until August 31, 2015; and

**WHEREAS**, Men of Valor has performed superlatively under the current agreement, providing job training and abating graffiti; and

**WHEREAS**, less than 25% of the amount of the existing agreement remains unspent; and

**WHEREAS**, there is a continuing need for the services of Men of Valor to abate graffiti and perform other maintenance on properties in East Oakland, including property owned by the Oakland Redevelopment Successor Agency (“ORSA”); and

**WHEREAS**, California Health and Safety Code Section 34171(d)(1)(F) recognizes contracts for the operation of the successor agency including maintenance of successor agency assets prior to disposition as enforceable obligations of the successor agency; and

**WHEREAS**, Redevelopment Property Tax Trust Funds (“RPTTF”) are authorized for maintenance of ORSA properties under the Recognized Obligation Payment Schedule (“ROPS”) 13-14B in the amount of \$100,000 in the Coliseum Area Redevelopment Project Area and \$70,000 in the Central City East Redevelopment Project Area, and under ROPS 14-15A in the amount of \$200,000 in the Coliseum Area Redevelopment Project Area and \$140,000 in the Central City East Redevelopment Project Area, and staff anticipates that subsequent ROPS will continue to include RPTTF funding for property maintenance; now, therefore, be it

**RESOLVED:** That Resolution No. 83370 C.M.S. is hereby amended to authorize the City Administrator to negotiate and enter into an amendment to the Men of Valor agreement to add ORSA as a party, extend the contract period by three years, increase the maximum amount of the contract for services provided on an as-needed basis by \$240,000, and expand the scope of work to include property maintenance on City and ORSA properties in the Coliseum and Central City East Redevelopment Project Areas; and be it

**FURTHER RESOLVED:** That the City Council finds and determines, for the reasons stated above and stated in the City Administrator’s report accompanying this Resolution, and pursuant to Oakland Municipal Code, Section 2.04.051 (B), that it is in the best interest of the City to dispense with the City’s customary RFP/RFQ process for the expanded scope under the amended agreement, and so waives these requirements; and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee is authorized to take any action with respect to this Agreement consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

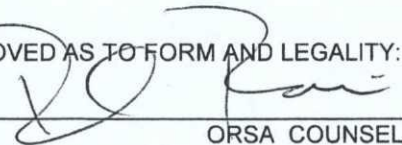
ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:

BY:

  
ORSA COUNSEL

## OAKLAND REDEVELOPMENT SUCCESSOR AGENCY

RESOLUTION No. 2014- \_\_\_\_\_

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**A RESOLUTION AUTHORIZING THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY (ORSA) TO BE ADDED AS A PARTY TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OAKLAND AND MEN OF VALOR ACADEMY, AND ALLOCATING ORSA FUNDS FOR THE PORTION OF THE CONTRACT DEALING WITH THE MAINTENANCE OF ORSA PROPERTIES**

**WHEREAS**, the City of Oakland has a services agreement with Men of Valor Academy ("Men of Valor") to perform job training, graffiti abatement and other maintenance services in the Coliseum and Central City East Redevelopment Project Areas; and

**WHEREAS**, there is a need for the services of Men of Valor to abate graffiti and perform other maintenance on properties in East Oakland owned by the Oakland Redevelopment Successor Agency ("ORSA"); and

**WHEREAS**, California Health and Safety Code Section 34171(d)(1)(F) recognizes contracts for the operation of the successor agency including maintenance of successor agency assets prior to disposition as enforceable obligations of the successor agency; and

**WHEREAS**, Redevelopment Property Tax Trust Funds ("RPTTF") are authorized for maintenance of ORSA properties under the Recognized Obligation Payment Schedule ("ROPS") 13-14B in the amount of \$100,000 in the Coliseum Area Redevelopment Project Area and \$70,000 in the Central City East Redevelopment Project Area, and under ROPS 14-15-A in the amount of \$200,000 in the Coliseum Area Redevelopment Project Area and \$140,000 in the Central City East Redevelopment Project Area, and staff anticipates that subsequent ROPS will continue to include RPTTF funding for property maintenance; and

**WHEREAS**, to facilitate the maintenance of ORSA and City properties the City seeks to amend the Agreement with Men of Valor to add ORSA as a party, amend the



scope to specifically include the maintenance of City and ORSA property, extend the contract period, and increase the amount of the contract; now, therefore, be it

**RESOLVED:** That the ORSA Administrator or his or her designee is hereby authorized to enter into and make ORSA a party to the Agreement between the City of Oakland and Men of Valor Academy; and be it

**FURTHER RESOLVED:** That ORSA funds are allocated for the portion of the Agreement dealing with the maintenance of ORSA properties; and be it

**FURTHER RESOLVED:** That the ORSA Administrator or his or her designee is authorized to take any action with respect to this Agreement consistent with this Resolution and its basic purposes.

BY SUCCESSOR AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2014

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF, and CHAIRPERSON KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
Secretary of the Oakland  
Redevelopment Successor Agency