



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) ACCEPT AND APPROPRIATE A GRANT FROM THE CALIFORNIA AIR RESOURCES BOARD IN AN AMOUNT OF ONE HUNDRED EIGHTY-FOUR THOUSAND SEVEN HUNDRED FIFTY-THREE DOLLARS AND SIXTY-NINE CENTS (\$184,753.69) FOR THE EAST OAKLAND SUSTAINABLE TRANSPORTATION TO MARTIN LUTHER KING JR. SHORELINE PLAN; AND**
- 2) APPROPRIATE MEASURE BB FUNDS IN AN AMOUNT NOT-TO-EXCEED THIRTEEN THOUSAND THREE HUNDRED EIGHTY-TWO DOLLARS AND NINETY-THREE CENTS (\$13,382.93) AS A LOCAL FUNDS CONTRIBUTION TO THE PROJECT; AND**
- 3) ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SOCIAL GOOD FUND INC. AS FISCAL AGENT FOR THE EAST OAKLAND COLLECTIVE IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED TWENTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY-FIVE DOLLARS (\$127,855); AND**
- 4) WAIVE THE CITY'S COMPETITIVE BIDDING PROCESS**

WHEREAS, on August 30, 2020, the City of Oakland applied for and received a California Air Resources Board (CARB) grant to fund the East Oakland Sustainable Transportation to Martin Luther King. Jr. Shoreline plan ("Plan"); and

WHEREAS, the grant solicitation heavily favored strong collaboration with community-based organizations; and

WHEREAS, the Department of Transportation contracts with consulting firms to support the development of plans and projects and seeks to fund Community Based Organizations (CBOs) and non-profits to support and enhance planning, engagement, and policy work; and

WHEREAS, Social Good Fund Inc. is a California non-profit and 501(c)(3) public charity that supports innovative and effective public interest projects and grant programs by assisting donors and social entrepreneurs to quickly deliver on their charitable missions while managing accounting and maintaining compliance through a fiscal sponsorship; and

WHEREAS, the Department of Transportation jointly developed the East Oakland Sustainable Transportation to Martin Luther King Jr. Shoreline grant application with the East Oakland Collective based on their experience and strong roots in East Oakland; and

WHEREAS, the East Oakland Collective (EOC) is a member-based community organizing group invested in serving the communities of deep East Oakland by working towards racial and economic equity.

WHEREAS, with this grant, the East Oakland Collective will fund and partner with Higher Ground Afterschool Program, Black Cultural Zone Collaborative, Oakland Climate Action Coalition, and Brower Dellums Institute for Sustainable Policy Studies, Roots Health Community Clinic to develop a community-led planning process to improve access to the Martin Luther King Jr. Shoreline; and

WHEREAS, using grant funding, Department of Transportation staff is requesting to enter into a professional services agreement with the East Oakland Collective for one hundred twenty-seven thousand eight hundred fifty-five dollars (\$127,855) to support the planning process, lead community engagement, convene a technical advisory group, engage East Oakland youth and artists, host shoreline activation event(s), coordinate with community partners and residents to generate and develop plan recommendations and build local capacity; and

WHEREAS, Project 1003346, Local Streets & Roads Community Transportation Plans, has sufficient funds available and is derived from Alameda County Ballot Measure BB (“Measure BB”) Direct Local Distribution funds that are eligible for planning and feasibility studies of transportation projects; and

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

WHEREAS, City staff recommends waiving the RFP/Q requirements for this contract based on the following factors:

- **Unique Service:** As a member-based community organizing group, the East Oakland Collective is uniquely positioned to engage East Oakland residents and stakeholders on important planning issues, and their trust and credibility enhance the community outreach that the City could do on its own; and
- **Efficiencies:** The East Oakland Collective has assisted with past and ongoing City projects, including the East Oakland Mobility Action Plan, and these existing relationships would lead to efficiencies as the organization is well versed with the City and its processes; and

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

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Administrator has determined that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

RESOLVED: That the City Council hereby authorizes the City Administrator to accept and appropriate a grant in an amount not to exceed \$184,753.69 from the California Air Resources Board for the East Oakland Sustainable Transportation to Martin Luther King Jr. Shoreline plan; and be it

FURTHER RESOLVED: That Measure BB funds are appropriated in amount not-to-exceed Thirteen Thousand Three Hundred Eighty-Two dollars and Ninety-Three cents (\$13,382.93) from Project 1003346, Local Streets & Roads Community Transportation Plans as a local resource Contribution to the project; and be it

FURTHER RESOLVED: That the City Administrator, or his designees, the Director of Transportation or Assistant Director of Transportation, are hereby authorized to enter Grant Funding Agreements for this project as described; and be it

FURTHER RESOLVED: That the City Administrator, or his designees, the Director of Transportation or Assistant Director of Transportation, are hereby authorized to execute a professional services agreement (agreement) with East Oakland Collective; and be it

FURTHER RESOLVED: That the total amount of the agreement shall not exceed one hundred twenty-seven thousand eight hundred fifty-five dollars (\$127,855); and be it

FURTHER RESOLVED: That this Agreement with East Oakland Collective shall be executed contingent upon available funding and will be funded from the proceeds of the California Air Resources Board grant; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to accept and appropriate, as needed, funds for the same purposes described above and consistent with this resolution and its basic purposes.

FURTHER RESOLVED: That said agreements shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

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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