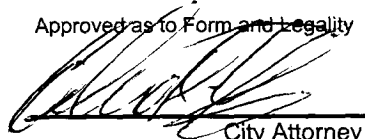


**OAKLAND CITY COUNCIL**

  
City Attorney

 2007 OCT 25 PM 2:28:22: **RESOLUTION No. 80910 C.M.S.**

 Introduced by Councilmember \_\_\_\_\_
 

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**RESOLUTION WAIVING THE COMPETITIVE RFP/RFQ SELECTION REQUIREMENT AND AUTHORIZING THE AWARD OF A THREE-YEAR AGREEMENT FOR A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) WITH THE EAST BAY CONSERVATION CORPS TO PROVIDE RECYCLING SERVICES**

**WHEREAS**, the California Integrated Waste Management Act of 1989 mandated that every city and county in the state reduce the quantity of solid waste disposed within their jurisdiction and disposed in landfills by fifty percent by 2000; and

**WHEREAS**, the Alameda County Waste Reduction and Recycling Initiative Charter Amendment (Measure D) enacted in 1990 established a countywide goal of 75% reduction of waste going to landfills and required the Alameda County Source Reductions and Recycling Board to set a date to achieve the goal; and

**WHEREAS**, in 1996 the Alameda County Source Reduction and Recycling Board established 2010 as the year the 75% countywide goal for reduction of waste going to landfills should be met; and

**WHEREAS**, in 2002 through Resolution No. 77500 C.M.S. the City Council established a goal of 75% reduction of solid waste going to landfills for the City of Oakland in alliance with the countywide 75% waste reduction goal; and

**WHEREAS**, in 2006 through Resolution No. 79775 C.M.S., the City Council adopted a Waste Reduction and Recycling Strategic Plan to achieve the 75% solid waste diversion goal by 2010; and

**WHEREAS**, in 2006 through Resolution No. 79774 C.M.S., the City Council assumed a leadership role in advocating waste reduction principles for materials management by adopting a Zero Waste goal for year 2020; and

**WHEREAS**, the City of Oakland, Public Works Agency, Environmental Services Division receives Used Oil Recycling Block Grant funding from the California Integrated Waste Management Board to implement and continue programs addressing the recycling of used oil; and

**WHEREAS**, the City desires to enter into an agreement with the East Bay Conservation Corps (EBCC) for recycling related services including: (1) provide interns to assist with the City's Recycling Hotline; (2) support grant-funded oil recycling activities; (3) provide grant-funded recycling collection service to eight large City facilities; and (4) additional related work; and

**WHEREAS**, the activities included in the agreement will help address the City Council goals to ensure that all Oakland children through seniors have the opportunity to be successful, to improve efficiency and responsiveness to our residents, and to develop a sustainable city; and

**WHEREAS**, the activities included in the agreement with EBCC will be funded by a combination of sources including the Recycling Fund 1710, and grants from the California Integrated Waste Management Board and the Alameda County Waste Management Authority; and

**WHEREAS**, pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interest of the City to waive the competitive Request For Proposals/Request For Qualifications selection requirement of Section 2.04.051A of the Oakland Municipal Code because this group of services cannot be provided by a vendor other than EBCC; and

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

**WHEREAS**, the City Council finds that this agreement 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 Administrator is hereby authorized to enter into a three-year agreement for a total amount not to exceed one hundred fifty thousand dollars (\$150,000) with the East Bay Conservation Corps to provide recycling services; and, be it

**FURTHER RESOLVED:** That the City Administrator or his/her designee is hereby authorized and empowered to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in compensation or the allocation of additional funds provided that such amendments or extensions shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That a copy of the agreement will be on file in the City Clerk's Office and will be approved by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 6 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**

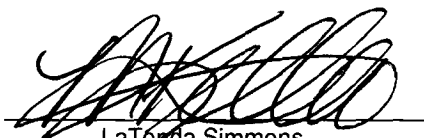
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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