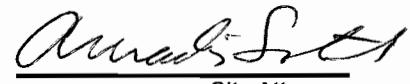


2013 JUL 11 PM 3: 59

RESOLUTION No. 84562 C.M.S.


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) **ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (CAL EMA GRANT), ANTI-HUMAN TRAFFICKING TASK FORCE PROGRAM; AND**
- 2) **CONTINUE THE OAKLAND POLICE DEPARTMENT'S PARTICIPATION IN THE EAST BAY TASK FORCE ON HUMAN TRAFFICKING; AND**
- 3) **ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BAY AREA WOMEN AGAINST RAPE (BAWAR), IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000) FOR THE PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013 WITH ONE OPTION TO EXTEND THROUGH SEPTEMBER 30, 2014 AT AN ADDITIONAL COST NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000), BRINGING THE TOTAL AUTHORIZED AMOUNT TO ONE HUNDRED AND TWENTY THOUSAND DOLLARS (\$120,000), AND WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) REQUIREMENTS FOR THE PROPOSED AGREEMENT AND OPTION TO EXTEND; AND**
- 4) **WAIVE THE CITY OF OAKLAND CENTRAL SERVICES OVERHEAD (CSO) FEES OF SEVENTEEN THOUSAND FOUR HUNDRED AND NINETY TWO DOLLARS (\$17,492) ASSOCIATED WITH THE CAL EMA GRANT**

WHEREAS, on October 1, 2009 via Resolution Number 82353 C.M.S., Council authorized the City Administrator to accept and appropriate California Emergency Management Agency (Cal EMA) Grant Program in an amount of two hundred thousand dollars (\$200,000) for the continued administration and operation of the East Bay Task Force on Human Trafficking.

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No, 80893 C.M.S, dated October 16, 2007, Resolution No. 79275 C.M.S, date June 7, 2005; and

WHEREAS, the proposed program term is October 1, 2012 through September 30, 2013, and a one year option to extend the proposed agreement with Bay Area Women Against Rape (BAWAR) for one year; and

WHEREAS, Oakland Municipal Code section 2.04.051.B permits the Council to waive the RFP/Q requirements upon a finding that it is in the best interest of the City of Oakland (City) to do so; and

WHEREAS, for the reasons stated in the City Administrator's report accompanying this resolution, which includes the fact that BAWAR is the only state certified rape crisis center qualified to provide around the clock and in the field services to sexual assault crime victims in Oakland, staff recommends that it is in the best interest of the City to waive the advertising and the RFP/Q process so that the City Administrator can enter into a Professional Services

Agreement with BAWAR for the period of October 1, 2012 through September 30, 2013 with an option to extend through September 30, 2014; and

WHEREAS, this is the 9th consecutive year OPD, in partnership with the Alameda County District Attorney's Office (DA) and BAWAR have led the East Bay Human Trafficking Task Force and BAWAR serves as the only agency trained in first responder crisis response and the primary advocate and service provider for victims of human trafficking in order to provide continuity in services for ongoing cases and investigations; and

WHEREAS, the grant does not cover Central Services Overhead (CSO) charges in the amount of \$17,492 (based on the calculation rate of 13.64% for salary and wages of \$128,243), and OPD request a waiver of said charges; and

WHEREAS, Section 504(l) of the Oakland City Charter provides that it shall be the duty of the City Administrator, when directed by the Council, to represent the City in its intergovernmental relations and to negotiate contracts for joint governmental actions, subject to Council approval; now therefore be it

RESOLVED: that the City Administrator or her designee is authorized to accept and appropriate up to two hundred thousand dollars (\$200,000) in grant funding by Cal EMA, Anti-Human Trafficking Task Force Program to be appropriated in Grant Fund (2999); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined; and be it

FURTHER RESOLVED: that the City Administrator or her designee is authorized to continue the Oakland Police Department's participation in the East Bay Task Force on Human Trafficking;

FURTHER RESOLVED: that the City Council finds that pursuant to Oakland Municipal Code section 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements and the RFP/Q for the proposed agreement with (BAWAR) as well as the proposed option to extend this agreement, if the City Administrator or her designee chooses to extend, and so waives such requirements; and be it

FURTHER RESOLVED: that the City Administrator or her designee is authorized to enter into a Professional Services Agreement with Bay Area Women Against Rape (BAWAR) at a cost not to exceed sixty thousand dollars (\$60,000) for the time period of October 1, 2012 through September 30, 2013 with one option to extend for one year until September 30, 2014, at an additional cost not to exceed sixty thousand dollars (\$60,000), should the City Administrator or her designee choose to extend the agreement, and bringing the total authorized amount to be paid at one hundred and twenty thousand dollars (\$120,000); and

FURTHER RESOLVED that federal grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and be it

FURTHER RESOLVED that to the City will abide by the statutes and regulations governing the federal Formula Grants Program as well as the terms and conditions of the Grant Agreement as set forth by the Corrections Standards Authority; and be it

FURTHER RESOLVED: that the Central Services Overhead costs of \$17,492 (13.64%) associated with the grant are hereby waived; and be it

FURTHER RESOLVED: that the City Council authorize the City Administrator to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and professional services agreement, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk; and be it

RESOLVED: that the City Attorney shall review and approve said agreement and any extension of this agreement with BAWAR as to form and legality.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2013

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BRUNO~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~KIM~~, SCHAAF and PRESIDENT KERNIGHAN - 6

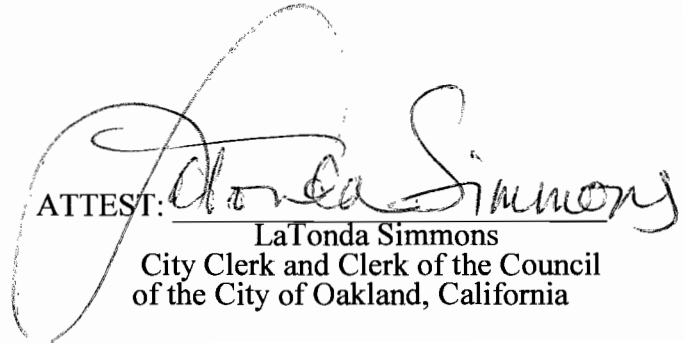
NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:



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