

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 APR 29 PM 7:40

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Public Works Agency
DATE: May 11, 2010

RE: **Resolution Waiving The Advertising And Competitive Request For Proposal/Qualification Requirements And Awarding A Three-Year Agreement For An Amount Not-To-Exceed Two Hundred Ten Thousand Dollars (\$210,000.00) To Civicorps Schools To Provide Recycling And Related Services**

SUMMARY

A resolution has been prepared authorizing the City Administrator to enter into a professional services agreement (Agreement) with Civicorps Schools (formerly the East Bay Conservation Corps), a local, not-for-profit organization, to provide recycling and related services. The Agreement is for a three-year period in an amount not-to-exceed two hundred ten thousand dollars (\$210,000).

The Agreement will be for Civicorps Schools to: (1) provide interns to assist with the City's Recycling Hotline and public information outreach; (2) support oil recycling activities; (3) provide recycling collection services to eight large City facilities; (4) provide multi-family residential recycling support services; (5) perform bicycle locker cleaning services; and (6) perform additional related work.

Section 2.04.051 B of the Oakland Municipal Code permits the City Council to waive the Request For Qualifications/Request For Proposals ("RFQ/RFP") competitive selection process requirement if it finds that it is in the best interest of the City. Staff recommends that the City Council waive the competitive RFP selection requirement and approve the resolution authorizing the City Administrator to enter into a professional services agreement with Civicorps Schools. Civicorps Schools is uniquely qualified for this work as it receives funding and certification training from CalRecycle to provide local recycling services and support oil recycling certification while providing job training and an education program for at-risk youth in Oakland.

FISCAL IMPACT

The Agreement is for a three-year period in an amount not-to-exceed two hundred ten thousand dollars (\$210,000).

- \$35,000 annually for Interns to assist the City's Recycling Hotline and outreach (in Environmental Services Recycling and Solid Waste Organization (30682); split between (i) Recycling Fund-1710, Non Project (0000000); and (ii) Alameda County Waste Management Authority-Source Reduction & Recycling Fund-2175; Non Residential

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- Recycling Fund and Non Residential Waste Authority Grant, Projects-H63640 and H63660)
- \$7,500 annually for Oil Recycling activities (in Environmental Services Recycling and Solid Waste Organization (30682); California Integrated Waste Management Board Fund-2154; UBG 15 Used Oil Project-G219680)
 - \$6,000 annually for Recycling Collection service at eight large City facilities (in Environmental Services Recycling and Solid Waste Organization (30682); Alameda County Waste Management Authority-Source Reduction & Recycling Fund-2175; Non Residential Recycling Fund and Non Residential Waste Authority Grant, Projects - H63640 and H63660)
 - \$10,000 annually for Multi-Family Residential Recycling Support services (in Environmental Services Recycling and Solid Waste Organization (30682); California Department of Conservation Fund-2139; City/County Payment Program, Project-G148580)
 - \$1,950 annually for Bicycle Locker Cleaning services (in Engineer Design: Traffic/Parking Organization (92246); Measure B: Bicycle/Pedestrian Pass Thru Fund-2212; Bike Facility Design/Implementation, Project - C318310)

Funding for any additional work will be dependent on the projects identified and from the appropriate funding sources prior to task assignment, and shall be within the approved contract amount.

BACKGROUND

Since 1991, the Public Works Agency (PWA) has executed a series of Agreements with Civicorps Schools to provide a variety of services, including interns to assist with the City's Recycling Program, activities to support oil recycling, recycling collection from City facilities and events, multi-family residential recycling support, bicycle locker cleaning, and creek restoration and monitoring services. The City's existing agreement with Civicorps Schools for recycling and related activities described above will expire on July 31, 2010.

KEY ISSUES AND IMPACTS

The City is seeking to execute a professional services agreement with Civicorps Schools to provide the required services. Civicorps Schools is a local, not-for-profit organization whose mission is to provide job training, education, and youth development programs by engaging local at-risk youth in service learning projects. No other vendor is available to offer a package of services that includes providing a youth intern to support Recycling Hotline and outreach, support for oil recycling and multi-family recycling activities, cleaning bicycle lockers, and collecting recyclables from City facilities.

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CalRecycle provides specific grant funding to Civicorps Schools for various activities related to beverage container recycling, including funding to train and place youth with local governmental agencies to support recycling activities, and funding to collect beverage containers. Since 1991, Civicorps Schools has been able to provide these services to the City of Oakland at a discounted cost based on its CalRecycle grant subsidy. However, due to the state budget crisis CalRecycle has reduced its grant funding to Civicorps Schools by 95% for FY 2010/2011, and Civicorps Schools is accordingly adjusting its pricing for contracted work with City under the new Agreement proposed in this report and resolution. Although the Civicorps proposed pricing is no longer heavily subsidized by CalRecycle grant funding, it is still reasonable.

Civicorps Schools has provided Recycling Hotline interns since 1993 and oil recycling related services to the City since 1997. Civicorps Schools corpmembers have been trained by the state to monitor and certify used oil collection centers. Civicorps Schools began providing bicycle locker cleaning services in 2007 and multi-family recycling support services in 2008, and has developed efficient and cost-effective systems to continue providing these services.

PROGRAM DESCRIPTION

The proposed Agreement will require Civicorps Schools to: (1) provide interns to assist with the City's Recycling Hotline and public information outreach; (2) support oil recycling activities; (3) provide recycling collection service to eight large City facilities; (4) provide multi-family residential recycling support services; (5) perform bicycle locker cleaning services; and (6) additional related work to be assigned on a task basis. The proposed Agreement includes performance standards and liquidated damages remedies for the City in the event of non-performance. City staff will monitor and evaluate Civicorps Schools' work under this Agreement to ensure that it conforms to the performance standards detailed in the Agreement, and that it continues to support the City's program goals.

Recycling Hotline Interns

Civicorps Schools will provide interns to assist with the City's 238-SAVE (7283) Recycling Hotline, as it has done since 1993. The Recycling Hotline responds to calls from residents inquiring about available recycling, green waste and garbage services, and provides work order assignment, information and referrals. In addition, the Recycling Hotline serves as the central intake line for other Recycling Program services, including business recycling technical assistance, construction and demolition recycling and solid waste and recycling services for City facilities.

Oil Recycling Support

The City receives annual Block Grant Funding from CalRecycle to fund used motor oil recycling activities. The City is required to complete Certified Oil Collection Center (Oil Recycling) monitoring annually to maintain eligibility for Block Grant Funding. CalRecycle encourages grant recipients to work with local conservation corps to provide these services. Civicorps

Schools corpsmembers are trained for Oil Recycling monitoring. The oil recycling activities that Civicorps Schools will provide include monitoring Oil Recycling centers, and delivering oil recycling kits consisting of jugs, filter bags, and instructions. The kits are made available to the public free of charge at retail stores where motor oil is sold.

City Facilities Recycling Collection

Civicorps Schools will provide recycling collection service to eight large City facilities. This service is funded by an annual grant to the City from StopWaste.Org (the Alameda County Waste Management Authority). Civicorps Schools will provide recycling collection service to these facilities: City Hall, 150 & 250 Frank H. Ogawa Plaza, Oakland Museum of California, Main Library, Police Administration Building, Municipal Services Center, and Heavy Equipment Shop. The smaller City facilities are provided recycling service under the City's Residential Recycling Agreements.

Multi-Family Residential Recycling Support

Civicorps Schools will continue providing grant-funded multi-family residential recycling support services, including delivery of educational outreach and promotional materials such door-hangers with recycling program instructions and information, and in-unit recycling containers (bags). This service is funded by an annual grant to the City from CalRecycle.

Bicycle Locker Cleaning

Civicorps Schools will continue providing grant-funded cleaning of accumulated debris and liquids from bicycle storage lockers at two downtown locations in support of the City's Bicycle and Pedestrian Facilities Program. This service is funded by a Measure B: Bicycle/Pedestrian grant to the City. Civicorps Schools will clean the bicycle lockers located at the northwest corner of 14th Street and Broadway in Frank Ogawa Plaza adjacent to the 12th Street BART Station entrance; and the northeast corner of 20th Street and Broadway, adjacent to the 19th Street BART Station entrance.

EVALUATION OF PAST PERFORMANCE

Since 1991, the Public Works Agency (PWA) has executed multiple agreements with Civicorps Schools. Measurements used to gauge and ensure satisfactory performance will continue through established contract management activities, which include monthly meetings of lead City and Civicorps Schools staff, review and verification of monthly invoices and reports, field monitoring, and performance incentives and liquidated damages. Civicorps Schools past and current performance has been, and continues to be, satisfactory. Staff has completed and filed the Schedule L, Consultant Performance Evaluation Form.

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SUSTAINABLE OPPORTUNITIES

Economic: The Agreement with Civicorps Schools will provide green collar jobs and job training for Oakland youth. The activities encourage resource conservation and community stewardship opportunities.

Environmental: Execution of an Agreement with Civicorps Schools will help conserve natural resources through recycling. Civicorps Schools' activities related to oil recycling will help prevent pollution and conserve natural resources. By educating the public about used oil and oil filter recycling, this program helps the City to meet the public information and participation component of its Countywide National Pollutant Discharge Elimination System Permit, established by the Federal Clean Water Act.

Social Equity: By executing an Agreement with Civicorps Schools to provide services related to the City's recycling program, the City supports Civicorps Schools' mission to train and educate Oakland's at-risk youth through performing community and environmental stewardship projects.

DISABILITY AND SENIOR CITIZEN ACCESS

The resolution will not have any impact on disability and senior citizen access.

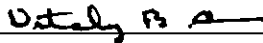
RECOMMENDATION AND RATIONALE

Staff recommends that the City Council waives the competitive RFQ/RFP selection requirement and approve the resolution awarding a professional services agreement with Civicorps Schools to provide recycling and related services. This Agreement provides grant-leveraged services to the City, and educational and job training opportunities for Oakland's at-risk youth.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council waive the competitive RFQ/RFP selection requirement and approve the resolution awarding a professional services agreement with Civicorps Schools for a three-year period in an amount not-to-exceed two hundred ten thousand dollars (\$210,000).

Respectfully submitted,



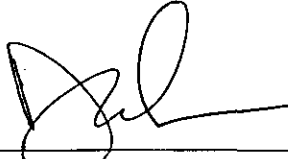
Vitaly B. Troyan, P.E.
Interim Director, Public Works Agency

Reviewed by:
Brooke A. Levin, Assistant Director

Reviewed by:
Susan Kattchee, Environmental Services Manager

Prepared by:
Mark Gagliardi, Senior Recycling Specialist
Environmental Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE



Office of the City Administrator

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OFFICE FILED
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OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION WAIVING THE ADVERTISING AND COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION REQUIREMENTS AND AWARDED A THREE-YEAR AGREEMENT FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000.00) TO CIVICORPS SCHOOLS TO PROVIDE RECYCLING AND RELATED SERVICES

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; 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, the City desires to enter into an agreement with Civicorps Schools (formerly the East Bay Conservation Corps) for recycling and related services including: (1) provide interns to assist with the City’s Recycling Hotline and public information outreach; (2) support oil recycling activities; (3) provide recycling collection services to eight large City facilities; (4) provide multi-family residential recycling support services; (5) perform bicycle locker cleaning services; and (6) perform additional related work; and

WHEREAS, the activities included in the agreement with Civicorps Schools will be funded by a combination of sources including the Recycling Fund 1710, and grants from CalRecycle (formerly the California Integrated Waste Management Board), the Alameda County Waste Management Authority, the California Department of Resources Recycling and Recovery, and the Measure B Bicycle/Pedestrian Pass Thru Fund; and

WHEREAS, Section 2.04.051.B of the Oakland Municipal Code (OMC) authorizes the City Council to waive the advertising and competitive Request For Qualifications/Request For Proposals (“RFQ/RFP”) selection process if it finds that is in the City’s best interests to do so; and

WHEREAS, staff recommends that the City Council waive the advertising and competitive RFQ/RFP process for this contract because this group of services, which includes job training, education, and development programs for at-risk youth in service learning projects in addition to recycling services, is not provided by a vendor other than Civicorps Schools; 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, pursuant to Chapter 2.04, Article I, section 2.04.050.I.5, and to section 2.04.051.B of the Oakland Municipal Code (“OMC”), the City Council hereby finds that based on the reasons and circumstances set forth herein and in the Report accompanying this Resolution, it is in the best interest of the City to waive the advertising and competitive RFP/RFQ selection requirements of the Oakland Purchasing Ordinance; and be it

FURTHER RESOLVED: That the City Council hereby awards a three-year agreement for a total amount not-to-exceed two hundred ten thousand dollars (\$210,000) to Civicorps Schools to provide recycling and related 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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