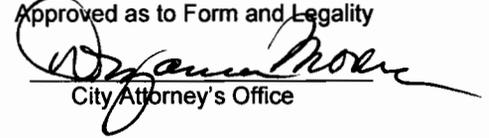


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAR 11 PM 4:02

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82673 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PAY ECOSYSTEM CONCEPTS INC. FOR GOAT GRAZING AND RELATED SERVICES PERFORMED ON CITY OF OAKLAND OPEN SPACE LANDS DURING FISCAL YEAR 2008-2009 UP TO AN AMOUNT NOT-TO-EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000), AND WAIVING ADVERTISING AND BIDDING FOR THE WORK

WHEREAS, goat grazing on City of Oakland open space lands is an essential component of the comprehensive fire prevention and management program and significantly decreases the risk of injury, death and lost property due to fire; and

WHEREAS, the cost for goat grazing is approved in the Wildfire Prevention Assessment District adopted budget and there is no impact to the General Fund; and

WHEREAS, The City last conducted a competitive process in 2006, selected and contracted Ecosystem Concepts Inc. to provide goat grazing services on the City's open space lands for fiscal years 2006-2008 pursuant to Resolution No. 80074 (passed July 18, 2006); and

WHEREAS, staff inadvertently extended the contract with Ecosystem Concepts Inc. to fiscal year 2008-2009 and, for that year, the vendor carried out the work in good faith and performed critical fire mitigation services during a State Fire Marshall declared high fire season and the City of Oakland received the benefit of such services; and

WHEREAS, Oakland Municipal Code Section 2.04.050.I.5 allows for waiver of the competitive bid process upon a finding and determination by the City Council that it is in the best interests of the city; and

WHEREAS, the City Administrator has determined that the work performed by Ecosystem Concepts Inc. in fiscal year 2008-2009 was of a professional, technical or scientific and temporary nature, and was in the public interest because of economy or better performance; and

WHEREAS, the City Administrator has determined that the work performed by Ecosystem Concepts Inc. in fiscal year 2008-2009 did not and 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 Council authorizes the City Administrator to pay Ecosystem Concepts Inc. up to an amount not-to-exceed two hundred fifty thousand dollars (\$250,000) for goat grazing services provided at various City of Oakland open space lands during fiscal year 2008-2009; and, be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.050.I.5 and the reasons stated in the City Administrator's report accompanying this item and above, the City Council finds that it is in the best interests of the City to waive advertising and bidding for the goat grazing services provided by Ecosystem Concepts Inc. in fiscal year 2008-2009; and be it

FURTHER RESOLVED: That the City Attorney shall approve the contract extension authorized hereunder for form and legality and a copy shall be placed on file in the Office of the City Clerk.

APR 20 2010

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BRUNNER~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER. - 7

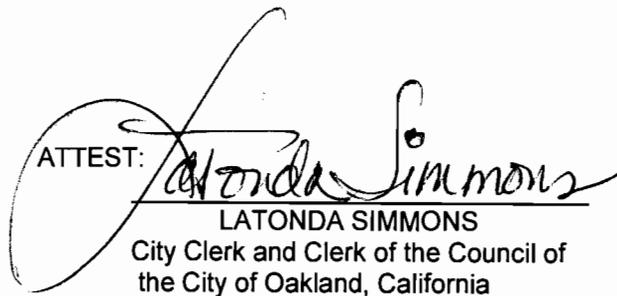
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California