

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING RESOLUTION 88969 C.M.S. AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KATHARINE GALE TO EXTEND THE CONTRACT PERIOD FROM DECEMBER 31, 2021 TO DECEMBER 31, 2022, INCREASE THE CONTRACT AMOUNT FROM \$41,040 TO AN AMOUNT NOT TO EXCEED \$90,000, AND WAIVE THE REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS

WHEREAS, the City of Oakland's Housing and Community Development Department ("HCD") manages an array of affordable housing programs designed to address the affordable housing and homelessness crisis in Oakland, which has been exponentially exacerbated by the COVID-19 global pandemic; and

WHEREAS, in 2020, HCD staff leadership sought assistance from third-party consultants who are specialists in housing and community development to assist HCD staff in carrying out various time sensitive activities that facilitate HCD's ability to respond to the City Council's policy directives designed to address the City's housing and homelessness crisis; and

WHEREAS, HCD solicited qualifications and requested waivers of competitive process on March 3, 2021 seeking consultants to provide assistance to HCD; and

WHEREAS, Katharine Gale was awarded a contract pursuant to the City Administrator's approval and the City entered into professional services agreement with Katharine Gale in the amount of \$41,040:

WHEREAS, On December 21, 2021 City Council passed Resolution No. 88969 C.M.S. extending the contract for Katharine Gale to June 30, 2022 and increasing the contract amount to an amount not to exceed \$50,000; and

WHEREAS, the City seeks to extend the contract for Katharine Gale to December 31, 2022 and increase the contract amount to an amount not to exceed \$90,000; and

WHEREAS, Katharine Gale is steadily expending the funding available in her contract, yet the need for consulting services within HCD continues to exist and has been exacerbated by the ongoing nature of the COVID-19 health pandemic; and

WHEREAS, Katharine Gale has performed her work with a high level of professionalism and excellence, and the City finds that it is in the best interest of the City to continue to utilize the assistance of Katharine Gale; and

WHEREAS, Oakland Municipal Code (“OMC”) Sections 2.04.40.B and 2.04.050 require a Request for Proposals/Qualifications process and bids, respectively, for all professional services contracts over \$50,000; and

WHEREAS, pursuant to OMC Section 2.04.050.1.B, the City Council may waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, City staff recommends waiving the Request for Proposals/Qualifications process for the extension of the professional services agreement with Katharine Gale; and

WHEREAS, the City Council desires to extend the professional services agreement to facilitate HCD’s ability to effectively and efficiently deliver programs that promote affordable housing production, preservation, anti-displacement, and homelessness prevention, as these activities are critically important to address the dire housing, homelessness, and COVID-19 crises that negatively impact Oakland’s lower income residents; and

WHEREAS, Katharine Gale’s professional service activities reflect administrative expenses related to the conduct of HCD’s affordable housing development programs; and

WHEREAS, sufficient funding is available to the City from the ERAP (Fund 2071) to fund the contract; and

WHEREAS, the City Administrator has determined that this is an agreement for services of a professional, scientific or temporary nature; and

WHEREAS, the City Administrator has determined that this agreement has not and will not result in a loss of employment or salary by any person having a permanent status in the competitive service; now, therefore, be it

RESOLVED: That pursuant to OMC 2.04.051.B, for the reasons provided above and in the report accompanying this Resolution, the City Council hereby finds that it is in the best interests of the City to waive the advertising and competitive bidding requirements for the extension of Katharine Gale’s professional services agreement because Katharine Gale possess deep experience

and expertise to assist HCD in meeting the needs of Oakland’s lower income residents impacted by the affordability and homelessness crisis in the City; and be it

FURTHER RESOLVED: That Resolution No.88969 C.M.S. is hereby amended to authorize the City Administrator to extend the term of Katharine Gale’s professional services agreement from December 31, 2021 to December 31, 2022 and increase the contract amount to an amount not to exceed \$90,000; and be it

FURTHER RESOLVED: That the City Council hereby waives the Request for Proposals/Qualifications process for the extension and increase to this professional services agreement; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate and execute contract amendments and take any other action with respect this contract consistent with this Resolution and its basic purpose.

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

