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City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE TERMS OF FIVE PROFESSIONAL SERVICES AGREEMENTS WITH INCREASES TO THE AMOUNTS OF THREE PROFESSIONAL SERVICES AGREEMENTS TO THE FOLLOWING CONSULTANTS WHO WILL PROVIDE CRITICALLY NEEDED SERVICES TO THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT AND WAIVE THE REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS:**

- 1. CITY DATA SERVICES, EXTENDING THE TERM FROM DECEMBER 15, 2021 TO DECEMBER 31, 2024 WITH AN OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR TERMS AND EXPANDING THE SCOPE OF WORK AND INCREASING THE AMOUNT OF THE AGREEMENT FROM \$43,100 TO AN AMOUNT NOT TO EXCEED \$177,180; AND**
- 2. KATHARINE GALE, EXTENDING THE TERM FROM DECEMBER 31, 2021 TO JUNE 30, 2022 AND INCREASING THE AMOUNT OF THE AGREEMENT FROM \$41,040 TO AN AMOUNT NOT TO EXCEED \$50,000; AND**
- 3. AMY HIESTAND CONSULTANT, LLC EXTENDING THE TERM FROM DECEMBER 31, 2021 TO DECEMBER 31, 2022 AND INCREASING THE AMOUNT OF THE AGREEMENT FROM \$99,999 TO AN AMOUNT NOT TO EXCEED \$150,000; AND**
- 4. KENNETH JONES, EXTENDING THE TERM FROM DECEMBER 31, 2021 TO DECEMBER 31, 2022; AND**
- 5. URBAN HOMESTEADING ASSISTANCE BOARD, EXTENDING THE TERM FROM APRIL 5, 2021 TO DECEMBER 31, 2022.**

**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 July 10, 2019, October 24, 2019, July 17, 2020, and March 3, 2021 seeking consultants to provide assistance to HCD; and

**WHEREAS**, the following consultants (“HCD Consultants”) were awarded contracts pursuant to the City Administrator’s approval:

1. City Data Services
2. Katharine Gale
3. Amy Hiestand Consultant, LLC
4. Kenneth Jones
5. Urban Homesteading Assistance Board; and

**WHEREAS**, the City entered into professional services agreements with the aforementioned HCD Consultants in the following amounts:

1. City Data Services in the amount of \$43,100;
2. Katharine Gale in the amount of \$41,040;
3. Amy Hiestand Consultant, LLC, in the amount of \$40,000, later amended to increase to total amount of \$49,999;
4. Kenneth Jones in the amount of \$49,500;
5. Urban Homesteading Assistance Board in the amount of \$25,000; and

**WHEREAS**, On January 19, 2021, City Council passed Resolution No. 88490 C.M.S. extending contracts for Amy Hiestand Consulting, LLC, and Kenneth Jones to December 31, 2021 and increasing the contract amounts to the following total amounts: Amy Hiestand Consulting LLC, to \$99,999 and Kenneth Jones to \$99,500; and

**WHEREAS**, the HCD Consultants have either fully expended the funding available or are steadily spending down the funds in their contracts, 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**, the HCD Consultants have performed their 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 the HCD Consultants; 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 agreements with the HCD Consultants; and

**WHEREAS**, the City Council desires to extend these professional services agreements 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**, the HCD Consultants’ 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 Affordable Housing Trust Fund (Fund 1870) and ERAP (Fund 2071) to fund these contracts; and

**Funding Codes for Consultant Contracts**

<b>Vendor Name</b>	<b>Fund</b>	<b>Org</b>	<b>Account</b>	<b>Project</b>
City Data Services	1870	89919	54930	1000386
Katharine Gale	2071	89919	54919	1006076
Amy Hiestand Consulting, LLC	1870	89919	54930	1000386
Kenneth Jones	1870	89919	54930	1000386
Urban Homesteading Assistance Board	1870	89919	54930	1000386

**WHEREAS**, the City Administrator has determined that these are agreements for services of a professional, scientific or temporary nature; and

**WHEREAS**, the City Administrator has determined that these agreements have 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 the professional services agreements referenced above because the HCD Consultants 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 the City Administrator is hereby authorized to extend and increase the HCD Consultants' respective professional services agreements as follows:

1. City Data Services, extending the term from December 15, 2021, to December 31, 2024, with an option to renew for two additional one-year terms, expanding the scope of work, and increasing the amount of the agreement from \$43,100 to an amount not to exceed \$177,180.
2. Katharine Gale, extending the term from December 31, 2021, to June 30, 2022, and increasing the amount of the agreement from \$41,040 to an amount not to exceed \$50,000.
3. Amy Hiestand Consultant, LLC, extending the term from December 31, 2021, to December 31, 2022, and increasing the amount of the agreement from \$99,999 to an amount not to exceed \$150,000.
4. Kenneth Jones, extending the term from December 31, 2021, to December 31, 2022.
5. Urban Homesteading Assistance Board, extending the term from April 5, 2021, to December 31, 2022.

and be it

**FURTHER RESOLVED:** That the City Council hereby waives the Request for Proposals/Qualifications process for the extensions and increases to these professional services agreements; 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 these contracts consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, FORTUNATO BAS, GALLO, KALB, REID, TAYLOR, THAO, AND  
PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of  
the City of Oakland, California