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OAKLAND

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CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 90286 C.M.S.

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**RESOLUTION AMENDING RESOLUTION NO. 89018 C.M.S. TO AUTHORIZE THE CITY ADMINISTRATOR TO TAKE THE FOLLOWING ACTIONS RELATED TO PROVIDING SMALL BUSINESS TECHNICAL ASSISTANCE:**

**(A) AMEND GRANT AGREEMENTS FOR AN EXTENDED TERM UNTIL SEPTEMBER 30, 2024, BETWEEN THE CITY AND MERRIWETHER & WILLIAMS AND THE BLACK CULTURAL ZONE COMMUNITY DEVELOPMENT CORPORATION; AND**

**(B) AMEND THE GRANT AGREEMENT BETWEEN THE CITY AND THE SPANISH SPEAKING UNITY COUNCIL TO INCREASE THE INITIAL NOT TO EXCEED AMOUNT BY AN ADDITIONAL THIRTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-NINE DOLLARS (\$37,529) AND EXTEND THE TERM UNTIL SEPTEMBER 30, 2024**

**WHEREAS**, in response to the COVID-19 pandemic, the Federal government through the Coronavirus Aid, Relief, and Economic Security (CARES) Act disbursement to the U.S. Department of Commerce's Economic Development Administration (EDA) issued a Request for Proposals for a competitive grant through the Economic Adjustment Assistance Program in 2020; and

**WHEREAS**, the City's Economic and Workforce Development and Public Works Departments created a small business support program proposal along with strategic partners The Spanish Speaking Unity Council (Unity Council) and Black Cultural Zone Community Development Corporation (Black Cultural Zone); and

**WHEREAS**, during the City's declared emergency order in 2020 in response to the COVID-19 pandemic, the City filed a grant application in July 2020 with the City of Oakland as a lead applicant and the Unity Council and Black Cultural Zone as co-applicants; and

**WHEREAS**, the City received notice of funding award from EDA in the amount of One Million Dollars (\$1,000,000) in July 2021 for economic adjustment assistance grants; and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.07.020 requires City Council approval of all grant awards made from money or funds donated, given or granted to the City from any public or private source regardless of the amount of grant award; and

**WHEREAS**, OMC Section 2.04.051.A requires that the City conduct a competitive Request for Qualifications/Proposals (RFQ/P) selection process for the award of professional contracts that exceed Fifty Thousand Dollars (\$50,000) and are exempt from bidding under OMC section 2.04.050.1.1; and

**WHEREAS**, the City issued an RFP on September 17, 2021, for a contractor to provide technical support services and help small and emerging contractors navigate the various requirements to successfully bid on construction contracts for Capital Improvement Projects; and

**WHEREAS**, Merriwether & Williams Insurance Services (Merriwether & Williams), an Oakland-based, small business service provider, was selected with Andrea Lowe Consulting as the sub-consultant; and

**WHEREAS**, pursuant to OMC sections 2.05.050.I.5 and 2.04.051.B, the City Council may waive the advertising and bidding requirements for purchase orders and contracts for supplies, construction services, and professional services upon a finding that doing so is in the best interest of the City; and

**WHEREAS**, on February 1, 2022, the City Council adopted Resolution No. 89018 C.M.S. accepting and appropriating the One Million Dollars (\$1,000,000) awarded to the City by the EDA and authorized the City Administrator to negotiate agreements with the following contractors:

(1) Merriwether & Williams Insurance Services in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) for a term of two years to provide technical assistance and business support services for minority construction contractors as selected pursuant to a competitive process for a two-year term with no option to renew;

(2) The Black Cultural Zone in an amount not to exceed Two Hundred Thousand Two Hundred Dollars (\$200,200) for a term of two years to provide small business technical assistance for a two-year term with no option to renew and waive the request for proposals/qualifications competitive selection requirements; and

(3) The Unity Council in an amount not to exceed Two Hundred Thousand Two Hundred Dollars (\$200,200) for a term of two years to provide small business technical assistance for a two-year term with no option to renew and waive the request for proposals/qualifications competitive selection requirement; now, therefore, be it

**WHEREAS**, on March 4, 2024, the EDA granted the City's' request to extend the performance period of the grant by six months until September 30, 2024; and

**WHEREAS**, the City Administrator intended to select, negotiate, and execute an agreement in the amount of Twenty-Five Thousand Five Hundred Twenty-Nine Dollars (\$25,529) with a consultant to provide capacity building for contractors and Twelve Thousand Dollars (\$12,000) for business workshops for technical assistance for contractors and now

desires to grant this additional not to exceed amount of Thirty-Seven Thousand Five Hundred Twenty-Nine Dollars (\$37,529) to the Spanish Speaking Unity Council's existing agreement; and

**RESOLVED:** That the City Council finds and determines that the foregoing recitals are true and correct and an integral part of this Resolution; and be it

**FURTHER RESOLVED:** That the City Council hereby amends Resolution No. 89018 C.M.S. and authorizes the City Administrator to negotiate amendments to the grant agreements for small business technical assistance to extend the initial 2-year term for an additional 6 months until September 30, 2024, with no additional funding allocation, with the City's existing's contractors Merriwether & Williams Insurance Services and the Black Cultural Zone Community Development Corporation; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to negotiate an amendment to the grant agreement between the City and the Spanish Speaking Unity Council to increase the initial not to exceed amount of Two Hundred Thousand Two Hundred Dollars (\$200,200) by an additional Thirty-Seven Thousand Five Hundred Twenty-Nine Dollars (\$37,529) for a total not to exceed amount of Two Hundred Thirty-Seven Thousand Seven Hundred Twenty-Nine Dollars (\$237,729) and extend the term until September 30, 2024; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to conduct all negotiations; execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, and payment requests; and to take any other related actions consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED:** That prior to execution, all agreements, grants, and amendments shall be reviewed and approved as to form and legality by the City Attorney and executed copies of same shall be filed with the Office of the City Clerk.

**FURTHER RESOLVED:** That this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: JUN 04 2024

AYES - ~~FIFE~~, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Fife

ATTEST:



ASHA REED

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