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OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney

2009 MAY 28 PM 3:44

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION WAIVING THE REQUEST FOR PROPOSAL PROCESS AND AUTHORIZING AN EXTENSION OF THE 2008 AGREEMENT WITH POLSINELLI SHUGHART TO SERVE AS THE CITY'S FEDERAL LEGISLATIVE LOBBYIST FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2009, AT A COST OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00), AND ~~AUTHORIZING AN OPTION TO RENEW FOR ONE YEAR UNTIL DECEMBER 2010 FOR AN ADDITIONAL ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), FOR A TOTAL AMOUNT NOT-TO-EXCEED THREE FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$45300,000.00) FOR THE ENTIRE TERM OF THE AGREEMENT~~**

**WHEREAS**, the City of Oakland desires to complement its state legislative advocacy efforts in the US House Congress and Executive Branch; and

**WHEREAS**, the City desires to assemble and organize pertinent information, facts and data relating to legislative matters affecting the City and its interests, and to present and disseminate such information to legislative bodies, executive officials, of the Federal government, and other Federal bodies, commissions, committees and organizations; and

**WHEREAS**, the services above primarily involve Federal legislative and administrative advocacy and the assistance of individuals in such matters who will best serve the interest of the City; and

**WHEREAS**, a Request for Proposal/Qualifications Process for a Federal lobbyist was conducted in September 2007 and Polsinelli Shugart (formerly Polsinelli Shalton Flanigan Suelthaus) was the unanimous selection; and

**WHEREAS**, it is in the City's best interests to retain Polsinelli Shugart as the Federal Legislative Lobbyist for the next ~~two~~ years because Polsinelli Shugart is in the midst of working on critical legislative matters, such as federal stimulus funding, and it is imperative to maintain continuity in lobbyist representation to assure the best possible outcome; and

**WHEREAS**, staff has determined that Polsinelli Shugart is well qualified to continue providing lobbyist services and the City's interests would be well served by this firm; and

**WHEREAS**, Polsinelli Shugart, shall be paid an amount not to exceed \$150,000 in the second year, the period from January 1, 2009 through December 31, 2009, ~~and \$150,000.00 in the third year, the period from January 1, 2010 through December 31, 2010,~~ for a total not-to-exceed amount of \$45300,000 over the entire contract period; now, therefore, be it

**RESOLVED:** That pursuant to the Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.051.B, the City Council finds and determines that it is in the best interests of the City to waive the Request for Proposal process for the Federal Legislative Lobbyist contract based on the reasons set forth in the City Administrator's report accompanying this resolution, and so waives the requirement; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to extend the agreement with Polsinelli Shughart to serve as the City's Federal Legislative Lobbyist for the period of January 1, 2009 through December 31, 2009, and to increase the agreement by an amount not to exceed one hundred fifty thousand dollars (\$150,000.00); and be it

~~**FURTHER RESOLVED:** That the City Administrator is hereby authorized to exercise the option to extend the Polsinelli Shughart agreement for an additional year to December 31, 2010 and to increase the agreement by an amount not to exceed one hundred fifty thousand dollars (\$150,000.00); and be it~~

**FURTHER RESOLVED:** That the City Administrator will return to Council for any further extensions of the contract; and be it

**FURTHER RESOLVED:** That the City Council finds and determines that the services provided by Polsinelli Shughart, are professional, technical, and temporary in nature; and be it

**FURTHER RESOLVED:** That the agreement with Polsinelli Shughart, shall not to exceed three ~~four~~ ~~hundred~~ ~~fifty~~ thousand dollars (\$45300,000.00) over the entire term of the contract (2008, 2009, ~~2010~~); and be it

**FURTHER RESOLVED:** That funds are available in the General Purpose Fund (1010), Non-Departmental Citywide Activities Org. (90591), Miscellaneous Contract Services (54919), Federal Lobbyist Project (P49300); and be it

**FURTHER RESOLVED:** That said agreement shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

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