

2024 SEP 19 AM 12:05 APPROVED AS TO FORM AND LEGALITY

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 90434<sup>5</sup> C.M.S.

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**RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AND NEGOTIATE THE AMENDMENT OF A PROFESSIONAL SERVICES AGREEMENT WITH INGENIOUS TACTICAL SOLUTIONS, ERSIE M. JOYNER III FOR THE PROVISION OF SPECIAL ADVISORY SERVICES TO INCREASE THE NOT-TO-EXCEED CONTRACT AMOUNT TO EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00) AND EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 30, 2024; AND 2) WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS AND LOCAL/SMALL LOCAL BUSINESS ENTERPRISE REQUIREMENTS**

**WHEREAS**, the City entered into a professional services agreement with Ingenious Tactical Solutions, Ersie M. Joyner III (ITS) for a total contract amount of \$42,000 for a three month term from October 27, 2023 to December 30, 2023, pursuant to Oakland Municipal Code (OMC) 2.040.20, for ITS to assist with, design and implement an immediate action plan in response to crime that would guide the Oakland Police Department, the Department of Violence Prevention, external law enforcement partners, community stakeholders, and the Ceasefire Steering Committee; and

**WHEREAS**, a continued need exists for further development of the action plan in response to crime to support the City's public safety efforts and engagement with community stakeholders and the Ceasefire Steering Committee and staff seeks to enter into a new agreement or extend the term of the existing agreement with ITS based on the continuing need for services to December 30, 2024, and to increase the contract amount by Forty-Seven Thousand Dollars (\$47,000.00) for a total not to exceed contract amount of Eighty-Nine Thousand Dollars (\$89,000.00); and

**WHEREAS**, the new not to exceed contract amount remains within the purchase authority of the City Administrator under OMC section 2.04.020 and the authority granted herein is not intended to supplant the purchase authority of the City Administrator under that section, however, the new contract value requires Council approval for any waiver of the competitive request for proposal (RFP) or request for qualifications (RFQ) process or the Local/Small Local Business Enterprise (L/SLBE) program requirements; and

**WHEREAS**, OMC section 2.04.051.A requires a competitive RFP/RFQ process for the award of professional service contracts and OMC section 2.04.051.B provides that the City Council may waive the RFP/RFQ process upon a finding that it is in the best interests of the City to do so; and

**WHEREAS**, the City Council may waive the City's L/SLBE program requirements pursuant to Part I of Oakland's L/SLBE Program guidelines (Ordinance No. 13647 C.M.S.); and

**WHEREAS**, it is in the best interest of the City to waive the RFP/RFQ process and L/SLBE program requirements because ITS is uniquely situated to continue to provide these important services given that principal Ersie M. Joyner III who retired from the Oakland Police Department as a Captain of Police, spent the last seven years of his career as the commander responsible for the Oakland Ceasefire program, and was the most decorated officer in the Oakland Police Department with six medals of merit for his work and thus has unique expertise and invaluable insight to provide as an advisor and consultant to the City; and

**WHEREAS**, the City Administrator has determined that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

**WHEREAS**, funding is available in account string 1.1010.01111.54930.1000001.IP01 to continue the work that Ingenious Tactical Solutions, Ersie M. Joyner III commenced in October 2023; now, therefore, be it

**RESOLVED:** That pursuant to Oakland Municipal Code section 2.04.051 and, for the reasons provided herein and in the accompanying staff report, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ process and the L/SLBE program requirements for the agreement and hereby waives the requirements; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and enter into a professional services agreement with ITS to extend the term to December 30, 2024 and increase the not-to-exceed contract amount to Eighty-Nine Thousand Dollars (\$89,000.00) and this authority does not supplant the purchase authority of the City Administrator under OMC section 2.04.020; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to modify, extend or amend the professional services agreement and to take any other action necessary and consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **OCT 1 - 2024**

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

NOES - **0**

ABSENT - **0**

ABSTENTION - **0**

Excused - **1 Fife**

ATTEST: \_\_\_\_\_



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