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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 OR DESIGNEE TO EXTEND THE TERMS AND INCREASE THE AMOUNTS OF TWO PROFESSIONAL SERVICES AGREEMENTS WITH THE FOLLOWING CONSULTANTS WHO WILL PROVIDE CRITICALLY NEEDED SERVICES TO THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT AND WAIVE THE REQUEST FOR PROPOSALS PROCESS:**

- 1. AMY HIESTAND CONSULTING, LLC EXTENDING THE TERM FROM DECEMBER 31, 2020 TO DECEMBER 31, 2021, AND INCREASING THE AMOUNT OF THE AGREEMENT FROM \$49,999 TO AN AMOUNT NOT TO EXCEED \$99,999; AND**
- 2. KENNETH JONES EXTENDING THE TERM FROM JUNE 30, 2020, TO DECEMBER 31, 2021, AND INCREASING THE AMOUNT OF THE AGREEMENT FROM \$49,500 TO AN AMOUNT NOT TO EXCEED \$99,500**

**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 2019, HCD staff leadership sought assistance from two 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**, the City conducted two informal Requests for Qualifications ("RFQ") processes issued on July 10, 2019, seeking consultants to provide assistance to HCD; and

**WHEREAS**, the following consultants (HCD Consultants) responded to these RFQs and possessed the qualifications being sought pursuant to the RFQ:

1. Amy Hiestand Consulting, LLC; and
2. Kenneth Jones.

**WHEREAS**, the City entered into a Professional Services Agreement with each of the aforementioned HCD Consultants in the following amounts:

1. Amy Hiestand Consulting, LLC in the amount of \$40,000, later amended to increase to total amount of \$49,999; and
2. Kenneth Jones in the amount of \$49,500

**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 for an additional one year term exclusively on an as needed basis; 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 Affordable Housing Trust Funds (1870) to fund these contracts; and

**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, that the City Council hereby finds that it is in the best interest 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 or designee is hereby authorized to execute extensions to the HCD Consultants’ respective professional services agreements for a period that will not exceed the date of December 31, 2021, and in the increased contract amounts set forth below:

1. Amy Hiestand Consulting, LLC contract in the amount of \$49,999 will be increased by \$50,000 for a total not to exceed amount of \$99,999; and
2. Kenneth Jones contract in the amount of \$49,500 will be increased by \$50,000 for a total not to exceed amount of \$99,500.

for a total additional amount not to exceed \$100,000 with funding coming from the Affordable Housing Trust Fund (Fund 1870), Org. 89929, Project (TBD); and be it

**FURTHER RESOLVED:** That the City Administrator or designee are hereby authorized to take any other action necessary and 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  
Acting City Clerk and Clerk of the  
Council of the City of Oakland,  
California