

7054 JUL 14 2024

Approved As To Form And Legality

Amacaulan

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 90341 C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION REQUIREMENTS AND THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE REQUIREMENTS AND AWARDING A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT TO AVENU INSIGHT & ANALYTICS, LLC IN AN AMOUNT NOT TO EXCEED \$540,000 FOR TAX COLLECTION SERVICES THROUGH JUNE 30, 2027; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE AGREEMENT FOR AN ADDITIONAL TWO YEARS FOR A TOTAL CONTRACT AMOUNT OVER THE FIVE-YEAR TERM OF \$900,000

WHEREAS, the City of Oakland initiated a competitive Request for Proposals (RFP) process in 2023 to select vendors to provide tax collection services for the Sugar-Sweetened Beverage Distribution Tax ("SSB Tax"); and

WHEREAS, Avenu Insight & Analytics, LLC (Avenu) emerged as the selected vendor based on their demonstrated expertise, technological infrastructure, and competitive pricing; and

WHEREAS, City entered into a professional services agreement with Avenu for a period of one year, expiring on June 30, 2024; and

WHEREAS, Avenu has been instrumental in effectively administering SSB Tax collection, contributing to revenue generation for the City and staff wishes to enter into a three-year professional services agreement with Avenue to continue SSB tax collection services from July 1, 2024 through June 30, 2027; and

WHEREAS, OMC section 2.04.051.A requires a competitive request for proposal ("RFP") or request for qualifications ("RFQ") process for the award of professional services 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 interest of the City to do so; and

WHEREAS, the City Council may waive the City's Local/Small Local Business Enterprise ("L/SLBE") requirements pursuant to Part I of Oakland's Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S.; and

WHEREAS, it is in the best interest of the City to ensure continuity in SSB Tax collection services and leverage Avenu's expertise and capabilities to enhance revenue collection efficiency and compliance; and

WHEREAS, Avenu's advanced technological infrastructure and specialized knowledge have proven effective in minimizing tax evasion, ensuring timely collections, and providing detailed analytical reports that support city financial planning and budgeting; and

WHEREAS, Avenu's seamless integration with the City's existing financial systems has resulted in a streamlined process, reducing administrative burdens and costs; and

WHEREAS, continuing with Avenu will ensure the City maximizes its SSB Tax revenue while maintaining compliance with all relevant regulations; and

WHEREAS, Avenu will receive a compensation of 2.1% of the Tax proceeds collected and remitted to the city; and

WHEREAS, funding for this contract is budgeted and available in the following funding sources;

Fund	Org	Project	Program	Account #
1030	08411	1003817	IP59	54919

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; 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 agenda report, the City Council finds that it is in the best interest of the City to waive the competitive RFP/RFQ process for the contract with Avenu, and the City Council hereby waives the requirements; and be it

FURTHER RESOLVED: That the City Council hereby waives the L/SLBE requirements for this professional service agreement; and be it

FURTHER RESOLVED: That the City Council hereby awards a Professional Services Agreement to Avenu Insight & Analytics, LLC for a three-year term in an amount not to exceed \$540,000 (\$180,000 each year) for SSB tax collection services through June 30, 2027; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to extend the professional services agreement with Avenu for an additional two years through June 30, 2030 in an amount not to exceed \$180,000 annually for a total contract amount over the five-year term not to exceed \$900,000; and be it

FURTHER RESOLVED: That based on the findings of the City Administrator, the City Council hereby determines that this agreement 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 2 2024

PASSED BY THE FOLLOWING VOTE:

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

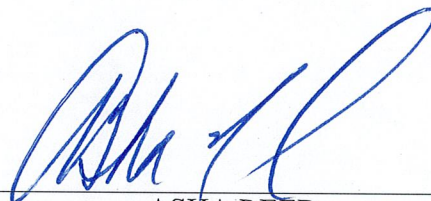
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Fortunato BAS

ATTEST:



ASHA REED

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

3339947/ARM