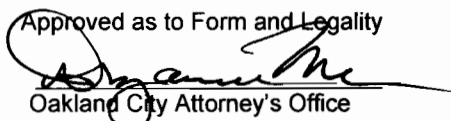


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 MAY 13 PM 1:43

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 82798 C.M.S.

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**RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR TO SELECT A VENDOR AND AWARD A CONTRACT FOR THE PROVISION OF GOAT GRAZING SERVICES IN THE CITY OF OAKLAND FOR THE PERIOD OF MAY 31, 2010 THROUGH MAY 30, 2014 IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE FOUR YEAR PERIOD, AND 2) WAIVING THE ADVERTISING AND THE FIXED, SEALED BID, PRICE-BASED BID PROCESS, AND 3) AUTHORIZING THE CITY ADMINSTRATOR TO USE THE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS TO SELECT THE VENDOR FOR THE WORK**

**WHEREAS**, goat grazing on City of Oakland open space lands is an essential component of the comprehensive fire prevention and management program and significantly decreases the risk of injury, death and lost property due to fire; and

**WHEREAS**, the cost for goat grazing is approved in the Wildfire Prevention Assessment District adopted budget and there is no impact to the General Fund; and

**WHEREAS**, the Oakland Fire Department wishes to select a vendor to provide goat grazing services on City of Oakland open space lands for the period May 31, 2010 through May 30, 2014 in an amount not to exceed one million five hundred thousand dollars (\$1,500,000), and may have initiated a competitive process but not identified the vendor at the time this resolution is before the Council; and

**WHEREAS**, grazing contracts for the purpose of improving public lands are considered public works projects which are usually subject to award based on lowest bid; and

**WHEREAS**, due to the complexity of managing the effective and proper implementation of a grazing program that meets fuel reduction needs and ensures that the City of Oakland is in compliance with the various federal and state environmental, endangered / protective species, health and safety requirements, and based on discussions with other Bay Area agencies that employ goat grazing vendors to manage vegetation, staff recommends that is is in the best interests of the City to issue a request for proposals for the goat grazing vendor and make the selection based on several relevant criteria such as vendor record of livestock health, compliance with health, safety and environmental laws in addition to price; and

**WHEREAS,** Fire Department staff has researched the market and determined that there are eleven Bay Area vendors that perform goat grazing services and wishes to dispense with advertising to avoid undue expense and administrative burden and directly solicit proposals for the work from each vendor; and

**WHEREAS,** Oakland Municipal Code Section 2.04.050.I.5 authorizes the City Council waive advertising and the fixed, sealed bid with award to the lowest bidder process upon a finding that it is in the best interests of the City to do so; and

**WHEREAS,** pursuant to Oakland City Charter Section 902(e) and Oakland Municipal Code section 2.04.020.E, the City Administrator has determined that services to be provided under the contract authorized hereunder are of a professional, scientific or technical and temporary nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That pursuant to Oakland Municipal Code Section 2.01.050.I.5 and based on the reasons discussed in the agenda report accompanying this Resolution and above, the City Council finds and determines that it is in the best interests of the City to waive advertising and the fixed, sealed bid, price-based bid process for the Contract for Goat Grazing Services from May 31, 2010 through May 30, 2014 in an amount not to exceed one million five hundred thousand dollars (\$1,500,000), and so waives the requirements; and, be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to conduct a request for proposal process for the selection of a vendor, to select the vendor and to award the Contract Goat Grazing Services for the period of May 31, 2010 through May 30, 2014 in an amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the four year period; and be it

**FURTHER RESOLVED:** That the contact shall be approved for form and legality by the City Attorney's Office and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 1 2010

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST.



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