


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING TWO CONTRACTS TO TOWNSEND PUBLIC AFFAIRS TO SERVE AS THE CITY OF OAKLAND STATE LOBBYIST AND PROVIDE GRANT SUPPORT BY EXTENDING THE TERM THROUGH OCTOBER 1, 2025 TO SEPTEMBER 30, 2027 AND ADDING FUNDS FOR A TOTAL AMOUNT NOT TO EXCEED \$420,000 AND TO SERVE AS THE CITY OF OAKLAND FEDERAL LOBBYIST AND PROVIDE GRANT SUPPORT BY EXTENDING THE TERM THROUGH OCTOBER 1, 2025 TO SEPTEMBER 30, 2027 AND ADDING FUNDS FOR AN AMOUNT NOT TO EXCEED \$252,000 AND AUTHORIZING THE CITY ADMINSTRATOR, WITHOUT FURTHER COUNCIL ACTION, TO EXERCISE AN OPTION TO RENEW EACH CONTRACT FOR A THIRD YEAR UNDER THE SAME TERMS AND CONDITIONS FOR AN AMOUNT NOT TO EXCEED \$210,000 FOR THE THIRD YEAR OF THE STATE LOBBYIST CONTRACT AND \$126,000 FOR THE THIRD YEAR OF THE FEDERAL LOBBYIST CONTRACT AND AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE THE CITY'S LOCAL BUSINESS/SMALL LOCAL BUSINESS PROGRAM PARTICIPATION REQUIREMENTS

WHEREAS, the City of Oakland desires to complement its state advocacy efforts in the California State Legislature and with the Governor and its federal legislative advocacy efforts in the United States 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 state and federal government and other bodies, commissions, committees and organizations; and

WHEREAS, the services above primarily involve state and federal legislative and administrative advocacy and the assistance of individuals in such matters who will best serve the interests of the City; and

WHEREAS, Townsend Public Affairs was retained to provide state legislative lobbyist services in 2006 and federal legislative lobbying services in 2011; and

WHEREAS, Townsend Public Affairs has worked closely with City leadership to secure passage of numerous pieces of Oakland sponsored legislation covering topics such as public safety, environmental protections, support for local government, seismic safety and transportation; and

WHEREAS, Townsend Public Affairs has during its tenure as the City's lobbying firm, worked with City leadership to apply for, secure or protect hundreds of millions of dollars in state and federal funds for public, transportation projects, parks; and affordable housing projects, in addition to recovering essential funds resulting from the dissolution of redevelopment agencies; and

WHEREAS, Townsend Public Affairs has taken the lead with the City to draft, prepare, present and adopt an annual state and federal legislative agenda which includes both policy matters and assistance in identifying or creating new revenue sources for City objectives and projects; and

WHEREAS, Townsend Public Affairs has demonstrated a high level of skill at working with City officials and City Leadership, sensitivity to the legislative and funding needs of the City, the ability to target and successfully address significant issues pending in the state and federal government for City involvement; and

WHEREAS, Townsend Public Affairs has been providing grant support services through a contract with the City Administrator's Office from June 2021 to June 2022; and

WHEREAS, in March 2021, the City released separate Requests for Proposals for state and federal lobbying services and grant support; and

WHEREAS, by the submittal deadline on April 13, 2021, the City received one response for the state lobbyist RFP and one response for the federal lobbyist RFP; and

WHEREAS, Townsend Public Affairs submitted a responsive proposal, meeting all the requirements for the RFPs for the state lobbyist/grant support and the federal lobbyist/grant support; and

WHEREAS, Townsend Public Affairs was awarded two contracts for the term of October 1, 2022 to September 30, 2025 for a total amount not to exceed \$630,000 for the state lobbyist contract and \$378,000 for the federal lobbyist contract; and

WHEREAS, Townsend Public Affairs has operated an office in Oakland since 2007 and was previously certified as a Local Business Enterprise (LBE) from 2007 through 2022, under current regulations it does not qualify as a LBE as its headquarters are not in Oakland; and

WHEREAS, Townsend Public Affairs will subcontract 25% of the work to 360 Total Concepts, who is a certified Small Local Business Enterprise (SLBE); and

WHEREAS, Townsend Public Affairs has deep knowledge of City of Oakland operations, projects and priorities and the City Administrator recommends that the City Council waive L/SLBE requirement for this contract; and

WHEREAS, the City Council may waive the City's Local/Small Local Business Enterprise (L/SLBE) requirements pursuant to Part 1 of Oakland's L/SLBE program guidelines adopted by Ordinance No. 13467 C.M.S.; and

WHEREAS, Oakland Municipal Code (OMC) section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts greater than \$50,000, and OMC section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

WHEREAS, the City's last RFP for state lobbyist/grant support and the federal lobbyist/grant support does not cover the proposed contract extensions set forth herein; and

WHEREAS, the funding for these contracts is available from General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services Account (54919), Federal Lobbyist Project (1000468) and State Lobbyist Project (100467), and Finance and Management Administration (08111), DP080 Administrative Project (1000007); and

- **WHEREAS,** staff recommends that the state lobbyist contract be amended to extend the term for two years, from October 1, 2025 to September 30, 2027, with an option to extend for an additional year from October 1, 2027 to September 30, 2028, with an additional award of funding of \$210,000 annually per additional year, for a total amount not to exceed \$1,260,000 and the federal lobbyist contract to be amended to extend the term for two years, from October 1, 2025 to September 30, 2027, with an option to extend for an additional year from October 1, 2027 to September 30, 2028, with an additional award of funding of \$126,000 annually per additional year, for a total amount not to exceed \$756,000; and

WHEREAS, the City Administrator has determined that the aforementioned contracts are 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 service; now, therefore, be it

RESOLVED: That the Council hereby authorizes the City Administrator to extend the term of the agreement with Townsend Public Affairs to serve as the City of Oakland state lobbyist from October 1, 2025 to September 30, 2027, with an option to extend for an additional year from October 1, 2027 to September 30, 2028, with additional funding at a rate of \$210,000 per contract years for a total contract amount not to exceed \$1,260,000 (\$630,000 (original contract) + \$420,000 (new extended term) + \$210,000 (optional additional year)); and be it

FURTHER RESOLVED: That the Council hereby authorizes the City Administrator to extend the term of the agreement with Townsend Public Affairs to serve as the City of Oakland federal lobbyist by extending the term to October 1, 2025 to September 30, 2027,

with an option to extend for an additional year from October 1, 2027 to September 30, 2028, with additional funding at a rate of \$126,000 per contract year for a total contract amount not to exceed \$756,000 (\$378,000 (original contract) + \$252,000 (new extended term) + \$126,000 (optional additional year)); and be it

FURTHER RESOLVED: That for the reasons set forth above and in the accompanying report, the City Council hereby finds that it is in the best interests to waive and hereby waives the City of Oakland's Local and Small Local Business Enterprise Program (L/SLBE) and competitive RFP/Q process requirements for these agreements; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to complete all negotiations, certifications, assurances, agreements, and documentation required to execute professional services agreements, as set forth above, and to modify or extend the agreements without incurring additional costs except as otherwise stated herein.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

3437928v1 / SW