



CITY OF OAKLAND

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OAKLAND

2019 MAY 30 PM 6:13

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Maraskeshia Smith
Assistant City Administrator

SUBJECT: Contract for Tenant Legal Services
and Outreach

DATE: May 20, 2019

City Administrator Approval

Date: 5/30/19

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing A One-Year Contract With Centro Legal De La Raza ("CLR") For Provision Of Legal Services And Outreach To Low-Income Tenants In The Amount Of \$250,000 Covering July 1, 2019 Through June 30, 2020, Renewable At The City Administrator's Option For Two Additional One-Year Terms Not To Exceed \$250,000 Per Year.

EXECUTIVE SUMMARY

Since July 1, 2013, Centro Legal de la Raza (CLR) has been providing legal services to low-income tenants who require help with the Rent Adjustment Program (RAP) pursuant to a contract which provided for a two-year term and three one-year renewals. CLR satisfactorily carried out the two-year term, and each of the three one-year renewals were exercised. The final renewal terminated on June 30, 2018, and two additional six-month extensions were approved by City Council to prevent a lapse in services to the public. The last extension will end June 30, 2019.

In March 2019, staff conducted a competitive procurement process to ensure that the City had an opportunity to retool its requirements, program design, and expectations for this program and select the most qualified legal services provider. Part of this assessment provided for better alignment of the legal services with RAP's new, robust approach to public outreach, education, and enforcement, as well as with the City's anti-displacement work.

The Request for Proposal (RFP) process included outreach to identify and encourage all qualified entities to respond to the RFP. In addition to advertising in various newspapers and through placement on the City's Contracts webpage, RAP staff reached out directly to 10 targeted potential contractors to inform them of the RFP and to encourage them to apply. An Information Session was held on March 29, 2019. While three groups indicated an interest in applying for the RFP, only one response was received by the April 15, 2019 due date; it was from CLR.

Item: _____
CED Committee
June 11, 2019

Staff reviewed the proposal for compliance with the RFP and found it to be fully compliant and responsive to the services and work set forth in the RFP document. Staff also conducted a post-RFP survey to identify reasons why potential contractors did not apply.

This new one-year contract seeks to maintain provision of essential legal services to aid low-income tenants in the City of Oakland by offering regular drop-in clinics strategically placed throughout the City to provide access to communities identified as having the greatest need, specifically Oakland's African-American community, through representation in RAP-related negotiations, hearings, and mediations; and through workshop and public outreach efforts. The need for these services is greater now than ever before, as the impact of escalating rents and skyrocketing property values continues to place tenants in an economic bind and fuel displacement in the City.

BACKGROUND / LEGISLATIVE HISTORY

Pursuant to an RFP process conducted in 2012, the City Council approved Resolution No. 84706 C.M.S., authorizing a \$90,000 contract with CLR for two one-year terms (2013-14 and 2014-15), as well as three one-year renewals (2015-16, 2016-17, and 2017-18). CLR was the only respondent to the 2012 RFP.

On October 20, 2015, the City Council approved Resolution No. 85843 C.M.S., authorizing an increase of the CLR contract from \$90,000 to the amount of \$165,000, and a First Amendment to the Contract was executed effective January 1, 2016.

On June 26, 2018, the City Council approved an extension for continued provision of services by CLR for six months from July 1, 2018 through December 31, 2018 (Resolution No. 87266 C.M.S.).

On December 11, 2018, the City Council approved Resolution No. 87466 C.M.S., authorizing a First Amendment to CLR's Anti-Displacement Program contract (approved on July 24, 2018) to incorporate six months of additional legal services commencing January 1, 2019 and expiring June 30, 2019.

On March 21, 2019, an RFP was released for provision of legal services and improved outreach to low-income tenants pursuant to the City's contracting procedures for a period of twelve months and for a contract amount of \$250,000. The one-year contract is renewable for two additional one-year terms, with the initial term covering a period from July 1, 2019 through June 30, 2020.

ANALYSIS AND POLICY ALTERNATIVES

Initiated in 2005, legal services for low-income clients is a long-standing activity that ensures tenants have the resources to understand and employ their rights under the rent adjustment and tenant protection ordinances. These services provide expert legal support, including

Additionally, CLA proposes to conduct Know Your Rights (KYR) presentations with accompanying materials to groups that gather at Oakland schools, youth centers, churches, and community-sponsored events such as Juneteenth, the Malcom X Jazz Arts Festival, and the Black Joy Parade.

Staff also undertook an analysis to understand why there were no other respondents. To better understand the limited public interest in this RFP, staff conducted an informal survey of several candidates that did not submit proposals in response to the RFP, to determine the reasoning for their lack of entry.

Analysis of these survey results pointed to several causes for lack of interest, namely the following: yearly docket of programs already full for the current fiscal year, no need for further grant funding at the time of the RFP release, inability of current staff model to support external outreach efforts and a desire to avoid conflicts with peer referral and legal services agencies regarding access to funding.

Alternatives

An alternative to accepting this proposal is to reissue the RFP to attempt to attract additional respondents. This alternative would result in a lapse of legal services for approximately four months and there is no indication that new contractors would surface.

FISCAL IMPACT

The funds for this contract are available in the Rent Adjustment Program (Fund 2413, Project 1001110, Org. 89969). These funds are restricted to use by the Rent Adjustment Program by Ordinance No. 21517 C.M.S.

PUBLIC OUTREACH / INTEREST

The RFP released on March 21, 2019 sought to determine if other qualified agencies could provide services comparable to CLR's and to the satisfaction of the City's RAP. The RFP was advertised in three (3) local newspapers and distributed by the iSupplier website to 141 suppliers registered with the City. An additional 10 potential contractors were notified by RAP directly of the RFP via email to encourage targeted contractors to apply.

COORDINATION

Staff produced this report in coordination with the City Attorney's Office and review by the Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: Execution of this contract will help preserve the affordable housing inventory for families, seniors, and disabled people in the City of Oakland and protect tenants from displacement while encouraging owners to invest in the housing stock of the City.

Environmental: Execution of this contract will help mitigate adverse environmental impacts resulting from existing rental housing, uncovering health and safety hazards in the process of its execution, in turn encouraging cohesion and vested interest of owners and tenants in established neighborhoods.

Social Equity: Execution of this contract will help improve the landscape and climate of Oakland's neighborhoods by encouraging long-term tenancies in rental housing and informing the rights and responsibilities of owners and tenants in the City. Protecting tenants from unwarranted rent increases and adjusting rents for decreased services through the execution of this contract will assist low and moderate income families in saving money to become homeowners.

ACTION REQUEST OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing A Contract With Centro Legal De La Raza ("CLR") For Provision Of Legal Services And Improved Outreach To Low-Income Tenants For A Period Of Twelve Months And A Contract Amount Of \$250,000. The One-Year Contract. The One-Year Contract, With The Initial Term Covering A Period From July 1, 2019 Through June 30, 2020, Is Renewable For Two Additional Years At The City Administrator's Option For Up to \$250,000 Per Year.

For questions regarding this report, please contact Maryann Leshin, Deputy Director of Housing and Community Development Department at (510) 238-6225.

Respectfully submitted,



MARASKESHIA SMITH
Assistant City Administrator

Reviewed by:
Maryann Leshin, HCD – Deputy Director

Prepared by:
Claudette Campos, RAP – Program Analyst III

2019 MAY 30 PM 6:13

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING A ONE-YEAR CONTRACT WITH CENTRO LEGAL DE LA RAZA ("CLR") FOR PROVISION OF LEGAL SERVICES AND OUTREACH TO LOW-INCOME TENANTS IN THE AMOUNT OF \$250,000 COVERING JULY 1, 2019 THROUGH JUNE 30, 2020, RENEWABLE AT THE CITY ADMINISTRATOR'S OPTION FOR TWO ADDITIONAL ONE-YEAR TERMS NOT TO EXCEED \$250,000 PER YEAR

WHEREAS, the City Council entered into a two-year contract for FY 2013 – 2015 with CLR to provide legal services to low-income tenants pertaining to the City's Rent Adjustment Program (RAP) which was extended for four additional years through June 30, 2019; and

WHEREAS, CLR exceeded all contract goals during its first two years of service and continued to do so, and based on strong performance the four one-year extensions were exercised; and

WHEREAS, rents in Oakland have been experiencing unprecedented increases and property values continue to escalate, and tenants face serious affordability challenges and the prospect of displacement; and

WHEREAS, in response to these pressures, the need for counseling, advice, and legal representation continues, and serving the most vulnerable communities in Oakland now requires an increase in outreach and public education in those locales; and

WHEREAS, the City desires to retain continuity in the current tenant legal services program as well as add a robust community outreach and education component and finds that CLR is properly positioned to do so; and

WHEREAS, the City conducted a formal Request for Proposal (RFP) process commencing on March 19, 2019 in accordance with the City's contracting policies and procedures and included targeted direct outreach to legal service providers throughout the City and region; and

WHEREAS, on the RFP due date of April 15, 2019, CLR was the only respondent; and

WHEREAS, the CLR proposal was compliant with all aspects of the RFP and provided a strong response in its description of the services to be delivered and the manner in which these services would meet the needs of the City to provide outreach, education and legal services to low-income tenants pertaining to RAP; and

WHEREAS, pursuant to a thorough evaluation of the RFP response staff determined that CLR should be awarded a one-year contract for these services in the amount of \$250,000; and

WHEREAS, this action is exempt from the California Environmental Quality Act (“CEQA”) under the following, each as a separate and independent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15061(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning); now, therefore be it

RESOLVED: That this action is exempt from the California Environmental Quality Act (“CEQA”) under the following, each as a separate and independent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15061(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning); and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to enter into a Contract with CLR for provision of legal services and outreach to low-income tenants for a period covering July 1, 2019 through June 30, 2020 at a contract amount to cover services not to exceed \$250,000, with the City Administrator’s option to renew for two additional one-year terms not to exceed \$250,000 per year, with funding coming from the Rent Adjustment Fund (2413), Rent Adjustment Program (89969), Rent Adjustment Project (1001110).

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California