

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**A RESOLUTION:**

- 1. AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR AND ACCEPT A STATE OF CALIFORNIA STANDARD AGREEMENT IN THE AMOUNT OF \$1,976,364 AND ENTER INTO AGREEMENT NUMBER MS-2223-01 WITH THE STATE OF CALIFORNIA DEPARTMENT OF AGING (CDA) FOR THE MULTIPURPOSE SENIOR SERVICES PROGRAM (MSSP) FOR FISCAL YEAR (FY) 2022-2023; AND**
- 2. WAIVING THE CITY'S COMPETITIVE PROCUREMENT PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO PROCURE MSSP RELATED GOODS AND AWARD PROFESSIONAL SERVICES AGREEMENTS TO PRIVATE ENTITIES FOR FY 2022-23; AND**
- 3. ADDING 1.00 FULL TIME EQUIVALENT (FTE) CASE MANAGER I, INCREASING FROM 0.50 FTE TO 1.00 FTE ADMINISTRATIVE ASSISTANT I, AND INCREASING FROM 0.80 FTE TO 1.00 FTE CASE MANAGEMENT SUPERVISOR IN THE HUMAN SERVICES DEPARTMENT TO MEET CDA REQUIREMENTS; AND**
- 4. AUTHORIZING A CONTRIBUTION FROM THE GENERAL PURPOSE FUND IN AN ESTIMATED AMOUNT OF \$509,601 FOR CENTRAL SERVICES OVERHEAD CHARGES; AND**
- 5. AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE ANY ADDITIONAL FUNDS THAT BECOME AVAILABLE FROM CDA WITHIN THE AGREEMENT TERMS OF JULY 1, 2022 THROUGH JUNE 30, 2023, FOR THE SAME PURPOSES, AND AMEND THE STANDARD AGREEMENT WITH CDA TO INCREASE THE AMOUNT**

**WHEREAS**, it is anticipated that the Human Services Department (HSD) will receive State of California, Department of Aging (CDA), Standard Agreement funds totaling \$1,976,364 in the form of reimbursements for the continued implementation of the Multipurpose Senior Services Program (MSSP) for Fiscal Year (FY) 2022-2023; and

**WHEREAS**, the agreement with the CDA will be funded by Title XIX Social Security Act Funds and the State of California General Fund; and City of Oakland General Fund; and

**WHEREAS**, the purpose of entering into said agreement is to continue the City's MSSP that will help the frail, elderly remain in their homes rather than be institutionalized; and

**WHEREAS**, MSSP is a long-standing City program, with the City Council having approved application for the original MSSP Standard Agreement funds via Resolution No. 57740 C.M.S., dated December 12, 1978; and

**WHEREAS**, CDA mandates MSSP to purchase specialized personal care items, appliances and non-medical home equipment, as well as in-home support and related program services, for MSSP participants in a timely manner, based on client choice, whereby the City's expenditures for said good and services for MSSP participants are reimbursed by the State; and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.040.B requires the City Administrator to conduct an advertising and bidding process for purchase orders or contracts for, among other things, supplies, and a Request for Proposals/Qualifications (RFP/Q) process for professional services contracts, and OMC Section 2.04.051.B permits the Council to waive the competitive RFP/Q process upon a finding that it is in the best interests of the City to do so and OMC Section 2.04.050.I permits the Council to waive the competitive advertising and bidding process when, among other things, calling for bids on a competitive basis is impracticable, unavailing or impossible; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the competitive advertising, bidding, and RFP/Q process and that calling for bids on a competitive basis is impracticable, unavailing or impossible, and to authorize the purchase and provision of the aforementioned types of goods and services from Bay Area Vital Link, Lifeline Systems, Community Care Services and Home Instead, as well as from vendors yet to be selected, because the CDA mandates that MSSP participants must be provided a timely choice of said goods and services; and

**WHEREAS**, the City Administrator has determined that the aforementioned services 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 civil service; and

**WHEREAS**, there is a need for additional staff positions as a requirement of the CDA in order for the City to receive increased funding and to serve 369 MSSP program participants and meet the CDA caseload ratio of 40 to 1; and

**WHEREAS**, the Human Services Department ("HSD") therefore seeks approval for the addition of 1.00 Full Time Equivalent (FTE) Case Manager I position, an increase from 0.50 to 1.00 FTE Administrative Assistant I, and an increase from 0.80 to 1.00 FTE Case Management Supervisor as part of the FY 2022-2023 MSSP Budget; and

**WHEREAS**, HSD is requesting a contribution from the City's General Purpose Fund in an estimated amount of \$509,601 equivalent to Central Services Overhead charges, due to limited funding and administrative cost restrictions for said funding; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Administrator or his designee to apply for, enter into a Standard Agreement (MS-2022-01) with, and to accept and appropriate MSSP funds from the CDA in the amount of \$1,976,364 for FY 2022-2023; and be it

**FURTHER RESOLVED:** That said funds are to be included in the FY 2021-2023 Biennial Budget and designated for FY 2022-2023 in the Department of Health and Human Services Fund (2128) Multipurpose Senior Services Program Organization (75231), and Administration/Case Management Support Project/Award (1005552/23370), Case Management Project/Award (1005553/23370), and Waived Services Project/Award (1005554/23370); and be it

**FURTHER RESOLVED:** That pursuant to OMC Sections 2.05.050.I and 2.04.051.B, and based on the findings set forth above and in the City Administrator's report accompanying this item, the City Council waives the advertising, competitive bidding, and RFP/Q requirements for the procurement of specialized personal care items, appliances and non-medical home equipment, as well as in-home support and other services, for MSSP participants on a timely basis, hereby finding and determining that it is in the best interests of the City to do so, and that calling for bids for said supplies and services on a competitive basis is impracticable, unavailing and impossible; and be it

**FURTHER RESOLVED:** That based on information provided by the City Administrator, the City Council finds that the aforementioned services 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 civil service; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to award professional services agreements and subsequent amendments for services for MSSP participants, and to issue contract purchase order procurements and related amendments for services for MSSP participants from Bay Area Vital Link, Lifeline Systems, Community Care Services and Home Instead, as well as from vendors that are yet to be selected for FY 2022-2023, so long as the cumulative amount of said awarded professional services agreements and purchase order procurements does not exceed the total MSSP funding accepted and appropriated by the City for the MSSP for FY 2022-2023; and be it

**FURTHER RESOLVED:** That the City Council hereby approves the addition of 1.00 Full Time Equivalent (FTE) Case Manager I position, an increase from 0.50 to 1.00 FTE Administrative Assistant I, and an increase from 0.80 to 1.00 FTE Case Management Supervisor for the Human Services Department with funding allocated in the City's FY 2022-23 MSSP; and be it

**FURTHER RESOLVED:** That all central services overhead charges associated with this CDA agreement for the FY 2022-2023 MSSP program, in an estimated amount of \$509,601, shall hereby be covered by a contribution from the City's General Purpose Fund, and be it

**FURTHER RESOLVED:** That if additional funds become available from CDA for the same purposes during the grant term, the City Administrator is authorized to accept and appropriate the funds, and to amend the above-referenced Standard Agreement to increase the grant amount for FY 2022-2023.

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