



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING RESOLUTION NUMBER 89736 C.M.S., WHICH AMONG OTHER THINGS EXPANDED THE SCOPE OF WORK FOR THE CITY OF OAKLAND'S CONTRACT WITH CIVICORPS (FORMERLY CIVICORPS SCHOOLS) TO INCLUDE TRAIL MAINTENANCE AND BRUSH CLEARANCE SERVICES IN OPEN SPACE PARKS, BY:

- 1. WAIVING THE CITY'S ADVERTISING AND SOLICITATION OF PROPOSALS/QUALIFICATIONS REQUIREMENTS; AND**
- 2. AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE CONTRACT AMOUNT FROM NINE HUNDRED THOUSAND DOLLARS (\$900,000) TO AN AMOUNT NOT TO EXCEED TWO MILLION, SEVEN HUNDRED AND THIRTY-FIVE THOUSAND DOLLARS (\$2,735,000)**

WHEREAS, the City of Oakland (City) currently has an agreement with Civicorps (Contract Number 2020003454), that will expire on June 30, 2029, for recycling and related services, and vegetation management work performed by local youth employed by Civicorps; and

WHEREAS, voters approved Measure MM Wildfire Prevention Parcel Tax (Measure MM) in the November 5, 2024, election, levying a special tax for twenty years in the "Wildfire Prevention Zone" for fire reduction and safety activities, including vegetation management, goat grazing, evacuation route protections, and enhanced fire patrols during high danger periods; and

WHEREAS, the City desires to expand the scope of work for this agreement to include vegetation management work funded by Measure MM to reduce fuel for wildfires, create defensible space around structures, and maintain fire-resistant landscaping within fire safety severity zone; and

WHEREAS, Oakland Municipal Code (OMC) Sections 2.04.040.B.4 and 2.04.051.A.1 require the City to conduct a formal advertising and competitive Request for Qualifications/Proposals (RFQ/RFP) selection process for professional services agreements over \$50,000.00; and

WHEREAS, OMC Section 2.04.051.B authorizes the City Council to waive the advertising and competitive RFQ/RFP selection requirements if it finds that it is in the City's best interests to do so; and

WHEREAS, the City Council waived the advertising and competitive RFQ/RFP process when establishing the current contract with Civicorps in Resolution No. 89736 C.M.S., as well as four previous contracts with Civicorps since 2010; and

WHEREAS, staff recommends that it is in the City's best interests for the City Council to again waive the advertising and competitive RFQ/RFP requirements for this contract increase because Civicorps is the only conservation corps in Oakland and is uniquely qualified to provide needed services that include job training, education, and development programs for local at-risk youth in service-learning projects; and

WHEREAS, the City Administrator has determined that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Administrator has determined that extending this agreement with Civicorps will 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 OMC Section 2.04.051.B and for the foregoing reasons, the City Council finds and determines that it is in the best interests of the City to waive the formal advertising and RFQ/RFP requirements and so waives the requirements for the increase in funding for the contract with Civicorps; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to increase the Civicorps contract (#2020003454) from nine hundred thousand dollars (\$900,000) to an amount not to exceed two million seven hundred and thirty-five thousand dollars (\$2,735,000); and be it

FURTHER RESOLVED: That the activities included in this agreement with Civicorps will be funded by a combination of sources including: the California Integrated Waste Management Board Fund (2154), Environmental Services: Recycling Organization (30682), , CalRecycle LAGP Project (1006539), Recycling and Solid Waste Program (SC17); the Measure BB: Local Streets & Roads Pass Through Fund (2218), Bicycle & Pedestrian Program Organization (35245), B&P Bicycle Facilities Design-Implementation Project (1000707), Transportation & Pedestrian Safety Program (NB33); the Recycling Program Fund (1710), Environmental Services: Recycling Organization (30682), Non-Residential Recycling Project (1001673), Recycling and Solid Waste Program (SC17); and the Measure MM – Wildfire Protection Fund (2254), Landscape Maintenance Organization (30652), Vegetation Management (1008068), Sustainable Oakland Program (SC26); and be it

FURTHER RESOLVED: That the City Administrator is authorized to conduct all negotiations and execute and submit all documents, including but not limited to agreements and payment requests, and to take any other action consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized and empowered to approve any subsequent amendments to said agreement, except for those related to an increase in compensation or the allocation of additional funds beyond the authority as set forth in this legislation and provided that such amendments shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the agreement shall be reviewed and approved by the Office of the City Attorney for form and legality and placed on file in the Office of the City Clerk.

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

3438133/AS