

DRAFT

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

(1) ACCEPTING AND APPROPRIATING ONE MILLION DOLLARS (\$1,000,000) AWARDED TO THE CITY OF OAKLAND BY THE U.S. DEPARTMENT OF COMMERCE'S ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR THE PURPOSE OF PROVIDING ECONOMIC ADJUSTMENT ASSISTANCE GRANT FUNDS AS FOLLOWS:

(A) FUNDING DIRECT TECHNICAL ASSISTANCE FOR MINORITY CONSTRUCTION CONTRACTORS IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000);

(B) FUNDING DIRECT TECHNICAL ASSISTANCE FOR SMALL BUSINESSES IN AN AMOUNT NOT TO EXCEED FOUR-HUNDRED THIRTY-SEVEN THOUSAND NINE HUNDRED AND TWENTY-NINE DOLLARS (\$437,929); AND

(C) FUNDING ADMINISTRATION EXPENSES OF THE ECONOMIC AND WORKFORCE DEVELOPMENT BUSINESS DEVELOPMENT PROGRAM IN AN AMOUNT NOT TO EXCEED SIXTY-TWO THOUSAND SEVENTY-ONE DOLLARS (\$62,071); AND

(2) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND AWARD A PROFESSIONAL SERVICES AGREEMENT WITH THE FOLLOWING CONTRACTORS:

(A) MERRIWETHER & WILLIAMS INSURANCE SERVICES IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR A TERM OF TWO YEARS TO PROVIDE TECHNICAL ASSISTANCE AND BUSINESS SUPPORT SERVICES FOR MINORITY CONSTRUCTION CONTRACTORS AS SELECTED PURSUANT TO A COMPETITIVE PROCESS;

(B) THE BLACK CULTURAL ZONE COMMUNITY DEVELOPMENT CORPORATION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND TWO HUNDRED DOLLARS (\$200,200) FOR A TERM OF TWO YEARS TO PROVIDE SMALL BUSINESS TECHNICAL ASSISTANCE AND WAIVING THE REQUEST FOR PROPOSALS/QUALIFICATIONS COMPETITIVE SELECTION REQUIREMENTS; AND

(C) THE SPANISH SPEAKING UNITY COUNCIL IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND TWO HUNDRED DOLLARS (\$200,200) FOR A TERM OF TWO YEARS TO PROVIDE SMALL BUSINESS TECHNICAL ASSISTANCE AND WAIVING THE REQUEST FOR PROPOSALS/QUALIFICATIONS COMPETITIVE SELECTION REQUIREMENT.

WHEREAS, in response to the COVID-19 pandemic, the Federal government through the Coronavirus Aid, Relief, and Economic Security (CARES) Act disbursement to the U.S. Department of Commerce’s Economic Development Administration (EDA) issued a Request for Proposals for a competitive grant through the Economic Adjustment Assistance Program in 2020; and

WHEREAS, the City’s Economic and Workforce Development and Public Works Departments created a small business support program proposal along with strategic partners The Spanish Speaking Unity Council (Unity Council) and Black Cultural Zone Community Development Corporation (Black Cultural Zone); and

WHEREAS, during the City’s declared emergency order in 2020 in response to the COVID-19 pandemic, the City filed a grant application in July 2020 with the City of Oakland as a lead applicant and the Unity Council and Black Cultural Zone as co-applicants; and

WHEREAS, the City received notice of funding award from EDA in the amount of One Million Dollars (\$1,000,000) in July 2021 for economic adjustment assistance grants; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.07.020 requires City Council approval of all grant awards made from money or funds donated, given or granted to the City from any public or private source regardless of the amount of grant award; and

WHEREAS, OMC section 2.04.051.A requires that the City conduct a competitive Request For Qualifications/Proposals (RFQ/P) selection process for the award of professional contracts that exceed Fifty Thousand Dollars (\$50,000) and are exempt from bidding under OMC section 2.04.050.1.1; and

WHEREAS, the City issued an RFP on September 17, 2021, for a contractor to provide technical support services and help small and emerging minority contractors navigate the various requirements to successfully bid on construction contracts for Capital Improvement Projects; and

WHEREAS, Merriwether & Williams Insurance Services (Merriwether & Williams), an Oakland-based, minority women-owned service provider, was selected with Andrea Lowe Consulting as the sub-consultant; and

WHEREAS, pursuant to OMC sections 2.05.050.I.5 and 2.04.051.B, the City Council may waive the advertising and bidding requirements for purchase orders and contracts for supplies, construction services, and professional services upon a finding that doing so is in the best interest of the City; and

WHEREAS, a waiver of the RFP/Q process for Unity Council and Black Cultural Zone is in the best interests of the City because both co-applicants were specifically named in the EDA grant award; and

WHEREAS, pursuant to OMC Section 2.04.040.B.3, the City Administrator shall conduct an informal advertising and solicitation of proposals/qualifications for professional services contracts involving expenditures of Fifty Thousand Dollars (\$50,000) or less; and

WHEREAS, the City Administrator intends to select, negotiate, and execute (1) a professional services agreement in the amount of Twenty-Five Thousand Five Hundred and Twenty-Nine Dollars (\$25,529) with a consultant to provide capacity building for contractors; and (2) a professional services agreement in the amount of Twelve Thousand Dollars (\$12,000) with a consultant to provide business workshops; now, therefore, be it

RESOLVED: That the City Council accepts and appropriates One Million Dollars (\$1,000,000) awarded to the City of Oakland by the U.S. Department of Commerce's EDA for the purpose of providing economic adjustment assistance grant funds as follows:

(1) Funding direct technical assistance for minority construction contractors in the amount of five hundred thousand dollars (\$500,000);

(2) Funding direct technical assistance for small businesses in an amount not to exceed four-hundred thirty-seven thousand nine hundred and twenty-nine dollars (\$437,929); and

(3) Funding administration expenses of the City's economic and workforce development business development program in an amount not to exceed sixty-two thousand seventy-one dollars (\$62,071); and be it

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and award a professional services agreement with the following contractors:

(1) Merriwether & Williams Insurance Services in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) for a term of two years to provide technical assistance and business support services for minority construction contractors as selected pursuant to a competitive process for a two-year term with no option to renew;

(2) The Black Cultural Zone in an amount not to exceed Two Hundred Thousand Two Hundred Dollars (\$200,200) for a term of two years to provide small business technical assistance for a two-year term with no option to renew and waive the request for proposals/qualifications competitive selection requirements; and

(3) The Unity Council in an amount not to exceed Two Hundred Thousand Two Hundred Dollars (\$200,200) for a term of two years to provide small business technical assistance for a two-year term with no option to renew and waive the request for proposals/qualifications competitive selection requirement; and be it

FURTHER RESOLVED: That the EDA grant funds will be deposited in the Department of Commerce Fund (2104), Economic Development (85411), Project (TBD), Federal Grant: Miscellaneous (46129); and be it

FURTHER RESOLVED: That prior to execution, all contracts and grant agreements shall be reviewed and approved as to form and legality by the City Attorney, and executed copies shall be filed with the City Clerk; and be it

FURTHER RESOLVED: That this Resolution shall take effect immediately upon its passage.

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