

2023 DEC -1 PM 1:13
FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved As To Form And Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 90059 C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION PROCESS REQUIREMENTS AND THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS AND AWARDING A PROFESSIONAL SERVICE AGREEMENT TO MATHEMATICA, INC. IN AN AMOUNT NOT TO EXCEED \$249,983 TO PROVIDE SUGAR SWEETENED BEVERAGE TAX EVALUATION SERVICES

WHEREAS, the City of Oakland has been dedicated to promoting public health and wellness, and in November 2016, City of Oakland voters passed Measure HH, the Sugar-Sweetened Beverage Distribution Tax Ordinance (the "Ordinance"), imposing a tax on the distribution of sugar-sweetened beverages in Oakland; and

WHEREAS, all Sugar-Sweetened Beverage Distribution Tax ("SSBDT") revenue collected and remitted to the City is deposited in the City of Oakland's unrestricted general fund and in the Sugar Sweetened Beverage Tax Sub-fund to be used for any lawful government purpose, including the support of programs aimed at reducing consumption of sugar-sweetened beverages; and

WHEREAS, Resolution 87162 C.M.S., passed in April 2018, authorized the allocation of funds for marketing, community education, and evaluation services for the SSBDT Community Grants program; and

WHEREAS, Mathematica, Inc was selected through a competitive process to provide Independent Evaluation of Program Services by the Human Service Department for the period of July 2019 – June 2022; and

WHEREAS, Mathematica has proven its capacity and commitment to evaluating the impact and effectiveness of the SSBDT Community Grants program through the release of a comprehensive evaluation in June 2022; and

WHEREAS, City staff wish to enter into a Professional Services Agreement with Mathematica to continue the evaluation services for the SSBDT Grants Program through December 31, 2024 for an amount not to exceed \$249,983; and

WHEREAS, OMC section 2.04.051.A requires a competitive request for proposal (“RFP”) or request for qualifications (“RFQ”) process for the award of professional services contracts and OMC section 2.04.051.B provides that the City Council may waive the RFP/RFQ process upon a finding that it is in the best interest of the City do to so; and

WHEREAS, the City Council may waive the City’s Local/Small Local Business Enterprise requirements pursuant to Part I of Oakland’s Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S.; and

WHEREAS, Mathematica's expertise, familiarity with the program, and ability to provide comprehensive, data-driven analyses make them an invaluable partner for the evaluation of the SSBTD Community Grants program; and

WHEREAS, for the reasons stated above, it is in the best interest of the City to waive the competitive RFP/RFQ process and Local/Small Local Business Enterprise Program requirements in order to maintain continuity and because Mathematica has consistently demonstrated their value, making them uniquely qualified for this role; and

WHEREAS, Mathematica's evaluation will help identify disparities in access to resources and opportunities, allowing for the design of targeted interventions to address health inequalities, while promoting environmental sustainability, economic resiliency, and equity in Oakland; and

WHEREAS, the funding for this contract shall be allocated from Fund 1030, Org 02111, and Project number 1004775; and

WHEREAS, the City Administrator has determined that this contract is 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; now, therefore, be it

RESOLVED: That the City Council hereby awards a Professional Services Agreement to Mathematica, Inc. in an amount not to exceed \$249,983 to provide evaluation services for the Sugar Sweetened Beverage Distribution Tax Grant Program through December 31, 2024; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051, and for the reasons provided herein, the City Council finds that it is in the best interest of the City to waive the competitive RFP/RFQ process for the contract with Mathematic, Inc., and the City Council hereby waives the requirements; and be it

FURTHER RESOLVED: That pursuant to Oakland’s Local and Small Local Business Enterprise Program guidelines adopted pursuant to Ordinance No. 13647 C.M.S., the City Council hereby waives the Local/Small Local Business Enterprise Program participation requirements as necessary for this contract; and be it

FURTHER RESOLVED: That based on the City Administrator findings, the City Council hereby determines that this contract with Mathematica, Inc. is 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **DEC 19 2023**

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, ~~REID~~, AND
PRESIDENT FORTUNATO BAS **-7**

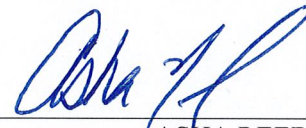
NOES **0**

ABSENT **0**

ABSTENTION **0**

1 - Excused - Reid

ATTEST: _____



ASHA REED

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

3319570/ARM