

CITY OF OAKLAND

AGENDA REPORT

6.71.07.11:6J

TO: Council President De La Fuente and Members of the City Council
FROM: Lupe Schoenberger, City Council Legislative Analyst
DATE: March 8, 2007

RE: A REPORT AND RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC., THE CITY'S STATE LEGISLATIVE REPRESENTATIVE, FROM APRIL 5, 2006 – JANUARY 5, 2007 TO DECEMBER 5, 2007, AND TO INCREASE THE CONTRACT BY AN AMOUNT NOT TO EXCEED ONE HUNDRED AND TEN THOUSAND DOLLARS (\$110,000.00) FOR THE ADDITIONAL ELEVEN MONTH PERIOD FOR A TOTAL CONTRACT AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)

SUMMARY

This report recommends that the City Council waive the competitive Request for Proposals/Qualifications process AND authorize the City Administrator to extend the agreement with Townsend Public Affairs, Inc., (TPA) to December 5, 2007 to continue serving as the state legislative representative for the City of Oakland, and increase the contract by an amount not to exceed \$110,000.00 for the additional period.

FISCAL IMPACT

The proposed total contract amount of \$200,000 includes services provided during the 2006 year for \$90,000 and \$110,000 for 2007.

Funding for this contract is available through June 30, 2007 totaling \$50,000.00 within the General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services (54919), State Lobbyist Project (P49300). The balance of the contract funding will be included as a part of the FY 2007-09 proposed budget for services provided July 2007 through December 2007.

BACKGROUND

In FY 02-03 and FY 03-04, the City had a dedicated employee providing state lobbying support with an approximate annual salary of \$100,000.00. In 2005, the City had no dedicated personnel or contractor to advocate with the state legislature on the City's behalf. Not having a state legislative representative to champion the City's issues to the state legislature in Sacramento, limited Oakland's ability to identify important legislative activities and to advocate for City interests. Oakland was the only one of California's largest cities – the Big Ten – that did not have a dedicated lobbyist.

The City sent out a Request for Proposals (RFP) in December 2005 to secure a legislative representative for the 2006 State legislative session. Through that process, the City Council retained the services of Townsend Public Affairs to represent Oakland for the period of April 5, 2006 to January 5, 2007.

KEY ISSUES AND IMPACTS

Townsend has been performing Oakland's state legislative advocacy since April of 2006. One of their major responsibilities during 2006 was to work with staff and elected officials to develop legislative proposals for the 2007 legislative session and to identify sponsors for Oakland's proposals. Townsend started this process in October 2006 and has developed a knowledge of Oakland's legislative needs and challenges that is invaluable to the City's advocacy efforts.

The month of February is a critical time in the development of legislative proposals when bill authors are being secured and proposals are being finalized. A lobbyist with ready background and knowledge to accurately convey Oakland's needs is imperative. Retaining TPA's services to complete the '07 legislative session would best serve the City's state legislative goals.

It is staff's intent to work with the Mayor's office to issue a Request for Proposals/Qualifications for the City's 2008 State lobbying contract in September of 2007.

SUSTAINABLE OPPORTUNITIES

No sustainable opportunities have been identified.

DISABILITY AND SENIOR CITIZEN ACCESS

This report contains no ADA or senior citizen access issues.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council adopt a resolution waiving the Request for Proposal/Qualifications process and authorizing the City Administrator to extend the agreement with TPA for an additional period of eleven months retroactive from January 5, 2007 through December 5, 2007.

The amount of the proposed contract is \$110,000.00 for 11 months, or \$10,000.00 per month

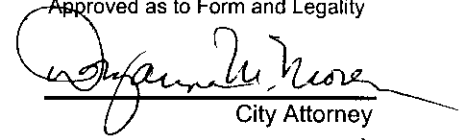
Respectfully submitted,



Lupe Schoenberger
City Council Legislative Analyst

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC., THE CITY'S STATE LEGISLATIVE REPRESENTATIVE FROM APRIL 5, 2006 – JANUARY 5, 2007 TO DECEMBER 5, 2007, AND TO INCREASE THE CONTRACT BY AN AMOUNT NOT TO EXCEED ONE HUNDRED AND TEN THOUSAND DOLLARS (\$110,000.00) FOR THE ADDITIONAL ELEVEN MONTH PERIOD FOR A TOTAL CONTRACT AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)

WHEREAS, the City of Oakland desires to complement its federal legislative advocacy efforts in the State of California Legislature; and

WHEREAS, the City desires to assemble and organize pertinent information, facts and data relating to legislative matters affecting the City and its interests, and to present and disseminate such information to legislative bodies, executive officials of the state government, and other State of California bodies, commissions, committees and organizations; and

WHEREAS, the services above primarily involve state legislative and administrative advocacy and the assistance of individuals in such matters who will best serve the interest of the City; and

WHEREAS, the City Council approved the retention of Townsend Public Affairs, Inc. to provide these services for the 2006 State Legislative session and to prepare the City's 2007 State Legislative Agenda from April 5, 2006 to January 5, 2007 at a cost of \$10,000.00 per month for a total contract amount of \$90,000.00; and

WHEREAS, it is in the City's best interest to maintain continuity of its 2007 lobbying efforts by retaining Townsend Public Affairs to continue working on behalf of Oakland's legislative proposals and priorities through the 2007 State Legislative session until December 5, 2007; and

WHEREAS, per Townsend's original contract, its direct expenses shall be reimbursed at cost, and extraordinary travel expenses, other than between Oakland and Sacramento, California, and expenses for conferences or workshops shall be reimbursed at cost upon prior approval of the City; and,

WHEREAS, funding for this contract is available through June 30, 2007 totaling \$50,000.00 within the General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services (54919), State Lobbyist Project (P49300). The balance of the contract funding will be included as a part of the FY 2007-09 proposed budget for services provided July 2007 through December 2007; and

WHEREAS, the City Council finds and determines that the services provided by Townsend Public Affairs, Inc., are of a professional, technical, and temporary in nature and shall 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 the Oakland Municipal Code section 2.04.051.B, the City Council finds and determines that it is in the City’s best interests to waive the competitive request for proposal/qualifications process and authorizes the City Administrator to extend the current agreement with Townsend Public Affairs, Inc., originally April 5, 2006 to January 5, 2007, to December 5, 2007 in order that Townsend can continue to serve as the City's State Legislative Representative through the 2007 legislative session; and, be it

FURTHER RESOLVED: That the City Administrator is authorized to pay Townsend Public Affairs, Inc., compensation in an amount not-to-exceed ten thousand dollars (\$10,000.00) per month or one hundred ten thousand dollars (\$110,000.00) over the entire extended 11-month period for a total contract amount of two hundred thousand dollars (\$200,000.00); and, be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION –

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California