


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING RESOLUTION NO. 90362 C.M.S. FOR THE FISCAL YEARS 2024-2025 THROUGH 2028-2029 TO 1) ADD MULTIPURPOSE SENIOR SERVICES PROGRAM (MSPP) VENDORS SHIELD-CALIFORNIA HEALTH CARE CENTER AND TRANSDEV SERVICES; AND 2) WAIVE THE COMPETITIVE PROCESS AND LOCAL/SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS FOR MSPP VENDORS BAY AREA VITAL-LINK, LIFELINE SYSTEMS, COMMUNITY CARE SERVICES, SAN OAKS CARING HANDS II, SHIELD-CALIFORNIA HEALTH CARE CENTER AND TRANSDEV SERVICES

WHEREAS, on July 16, 2024, the City Council adopted Resolution No. 90362 C.M.S. authorizing the City Administrator to procure MSPP-related goods and enter into professional services agreements with Bay Area Vital-Link, Inc., Lifeline Systems Company, Community Care Services, Inc. and San Oaks Caring Hands II LLC; and

WHEREAS, staff did not seek and thus Resolution No. 90362 C.M.S. did not waive the City's competitive procurement, and Local and Small Local Business Enterprise (L/SLBE) requirements applicable to the agreements with Bay Area Vital-Link, Inc., Lifeline Systems Company, Community Care Services, Inc., and San Oaks Caring Hands II LLC; and

WHEREAS, Resolution No. 90362 C.M.S. also omitted Shield-California Health Care Center, Inc. and Transdev Services, Inc.; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.051.B permits the City Council to waive the competitive RFP/Q and bidding requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, OMC Section 2.04.050.I permits the City Council to waive competitive bidding requirements when calling for bids on a competitive basis is impracticable, unavailing, or impossible and in other cases when specifically authorized by the City Council after a finding and determination that it is in the best interests of the City; and

WHEREAS, the City Administrator has determined that the services authorized under Resolution No. 90362 C.M.S. are of a professional, specialized, 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, staff recommends that it is in the best interests of the City to waive the competitive bidding and RFP/Q requirements for Bay Area Vital-Link, Inc., Lifeline Systems Company, Community Care Services, Inc., San Oaks Caring Hands II LLC, Shield-California Health Care Center, Inc., and Transdev Services, Inc. to allow for contract execution and timely payment for goods and services that support over 369 frail, low-income older adults at risk of nursing home placement; and

WHEREAS, pursuant to Part I of Oakland's L/SLBE Program guidelines adopted by Ordinance No. 13825 C.M.S., the City Council may waive L/SLBE requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, staff recommends waiving the L/SLBE requirements for the Bay Area Vital-Link, Inc., Lifeline Systems Company, Community Care Services, Inc., San Oaks Caring Hands II LLC, Shield-California Health Care Center, Inc., and Transdev Services, Inc. to avoid service interruption due to delayed contract execution, which could place program participants at heightened risk and disrupt continuity of care; now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that the foregoing recitals are true and correct and are hereby incorporated by reference as is fully set forth herein; and be it

FURTHER RESOLVED: That for the reasons set forth herein and in the staff report accompanying this Resolution and pursuant to Oakland Municipal Code Sections 2.04.050.I and 2.04.051.B, and pursuant to Ordinance No. 13825 C.M.S., that the City Council hereby waives the competitive bidding and RFP/Q and the L/SLBE program requirements, respectively, for the procurements and professional services agreements Bay Area Vital-Link, Inc., Lifeline Systems Company, Community Care Services, Inc., San Oaks Caring Hands II LLC, Shield-California Health Care Center, Inc., and Transdev Services, Inc. finding and determining that it is in the best interests of the City to do so and that calling for competitive bids or proposals is impracticable, unavailing, or impossible; and be it

FURTHER RESOLVED: That except as amended by this Resolution, Resolution No. 90362 C.M.S. remains in full force and effect.

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

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