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OAKLAND  
2015 AUG -6 AM 11:31

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
CITY ADMINISTRATOR

**FROM:** Mark Sawicki

**SUBJECT:** Day Laborer Contract Program

**DATE:** August 3, 2015

City Administrator  
Approval

Date

8/5/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that City Council adopt:

A Resolution Amending Resolution No. 84522 C.M.S. Authorizing A Contract With Causa Justa To Administer The Oakland Day Labor Program, To Extend The Contract To November 30, 2015.

## OUTCOME

Resolution No. 84522 C.M.S. adopted on July 16, 2013, authorized a professional services contract with Causa Justa to administer the Oakland Day Labor Program in an amount not to exceed \$320,000. The contract period was July 1, 2013 through June 30, 2014, with an option to renew for one additional year through June 30, 2015. Staff recommends extending the contract period to November 30, 2015 for performance of services utilizing dollars not previously exhausted by Causa Justa to operate the Oakland Day Labor Program through November 30, 2015 with no additional cost.

This report is coming during the Mayor's Summer Recess and cannot be deferred to regular council because the contract expired on June 30, 2015. Extending this contract to November 30, 2015 will ensure these essential services to the community continue through the competitive process which is currently underway as well as provide Causa Justa an opportunity to exhaust dollars allocated in the 2013-15 contract.

## BACKGROUND/LEGISLATIVE HISTORY

Beginning July 19, 1999 through June 30, 2005 the City Council authorized funding for a Day Laborer Program whose funding was subsequently extended through June 30, 2010. The program ceased operation on July 1, 2010 due to lack of funding.

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Businesses near the Fruitvale and Foothill Boulevard area expressed concerns about the impact of the congregation of large numbers of day laborers on their businesses. Resolution No. 83943 C.M.S. amended the City of Oakland's Fiscal Year (FY) 2011-13 Biennial Budget, and appropriated \$170,000 for a one-year contract to provide employment and employment-related services to day laborers in order to reduce the numbers of day laborers physically locating near these businesses and to improve employment and income prospects for day laborers.

On November 19, 2012, the Department of Economic and Workforce Development released a Request For Proposals ("RFP #4262"), seeking proposals to administer a Day Laborer Program for Fiscal Year 2013-2014. Three proposals were submitted in response to the RFP and awarded to Causa Justa.

City Council approved an additional \$170,000 for Fiscal Year 2013-2014 for the Oakland Day Laborer Program, for a total amount of \$340,000.

The Day Laborer Program is located in the Fruitvale community, and is specifically designed to provide employment and just working conditions for the 200 plus day laborers who congregate at and around the corner of Fruitvale and Foothill Boulevard

### ANALYSIS

A competitive RFP process for the FY 2015-17 is in process to identify service providers who could support a hiring hall model for linking contractors and day laborers, track outcomes, and include key supportive services to the day laborer population. A RFP was released August 1, 2015. A Bidder's Conference was scheduled for August 6, 2015. Questions regarding the RFP received from the bidders via email will be posted on the City's website to ensure that all potential applicants received the same information. Recommendation of the contractor for the FY 2015-17 award will return to Council on September 22, 2015.

A committee has been selected to review the proposals and rank them according to the following criteria: Experience, Capacity and Past Performance; Program Design; Innovation; Partnerships; and Budget and Financial Information. A second committee was convened to interview the three candidate organizations. The scoring system was as follows: Written Proposals (25 points – proportional allocation); Presentation (up to 40 points); Interview (up to 35 points).

The rationale for this program is:

- Day labor work, by its nature, places workers in potentially challenging and vulnerable circumstances with regards to negotiating payment for and hours of work, and workplace safety.

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- The persistent congregation at and around Fruitvale Avenue and Foothill Boulevard of day laborers seeking work has raised concern about public safety by local area businesses.
- This project requires deep knowledge of the day laborer community and geographic area which will be served by this program.

### **PUBLIC OUTREACH/INTEREST**

Neighborhood stakeholders have expressed that the numbers and constant presence of day laborers congregating near Fruitvale Avenue and Foothill Boulevard created a perception that public safety and local businesses were negatively impacted. The City conducted outreach for the RFP through its Contract Compliance procurement processes and to agencies which provide a range of relevant services to this population.

### **COORDINATION**

The Day Laborer Program contract procurement process was supported by the Office of Contracts and Compliance. This report and resolution have also been reviewed by the Office of the City Attorney and by the City Administrator's Budget Office

### **COST SUMMARY/IMPLICATIONS**

There are no additional costs associated with this contract; staff is requesting to extend the time for performance of the contract work through November 30, 2015 and to spend down dollars not exhausted in FY 2013-15.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Short-term opportunities include consistent employment opportunities for day laborers, thereby providing consistent and increased wages and access by employers to day laborers who are integrated into the City's Day Laborer program and who have received basic safety training, thereby limiting on-the-job injuries.

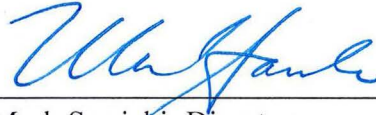
***Environmental:*** There are no environmental impacts related to this project.

***Social Equity:*** Increased awareness of workers' rights and access to a range of social services provided by contractor and its partners to improve working conditions for day laborers as well as access to legal services for those needing information and assistance with immigration.

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For questions regarding this report, please contact Ricardo Quezada, Program Analyst II, at 238.7902.

Respectfully submitted,



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Mark Sawicki, Director  
Department of Economic and Workforce  
Development

Reviewed by:   
John R. Bailey, Executive Director  
Workforce Investment Board

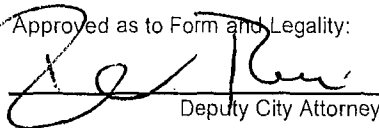
Prepared by:  
Ricardo Quezada, Program Analyst II  
Workforce Development

Attachment: Reso 84522 C.M.S.

Attachment

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OAKLAND

2013 JUN 27 PM 3:34

Approved as to Form and Legality:  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. 84522 C.M.S.

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**A RESOLUTION AUTHORIZING A CONTRACT WITH CAUSA JUSTA FOR ONE YEAR WITH A ONE-YEAR OPTION TO RENEW IN AN AMOUNT NOT TO EXCEED A TOTAL OF \$320,000 TO ADMINISTER THE OAKLAND DAY LABOR PROGRAM**

**WHEREAS**, on June 28, 2012 the City Council approved Resolution No. 83943 C.M.S. amending the City of Oakland's FY 2011-13 Biennial Budget and appropriating certain funds to provide for the expenditures proposed by the said budget; and

**WHEREAS**, the City Council identified \$170,000 for the Oakland Day Labor Program in its budget for Fiscal Year 2012-13 Mid Cycle Budget Amendment, and said funds are available in the General Purpose Fund (1010), Citywide Activities (90591) and Day Laborer Project (A139610); and

**WHEREAS**, City Council approved an additional \$170,000 for the Oakland Day Labor Program in its budget for Fiscal Year 2013-14; and

**WHEREAS**, funds will be allocated to a professional services contract to administer the Oakland Day Labor Program totaling \$320,000, and contract administration by City staff for the Program totaling \$20,000; and

**WHEREAS**, staff have selected Causa Justa through a competitive process and are recommending a contract with Causa Justa to administer the Oakland Day Labor Program; and

**WHEREAS**, the City finds that this contract is of a professional nature; and

**WHEREAS**, the City finds that this contract will not result in a loss of employment or salary by any person having a permanent status in the competitive service; now, therefore, be it

**RESOLVED**: That the City Administrator is hereby authorized to negotiate and execute a contract for professional services with Causa Justa to operate the Oakland Day Labor Program from July 1, 2013 through June 30, 2014, with the option to renew for one

additional year, from July 1, 2014 through June 30, 2015 in an amount not to exceed \$320,000; and be it

**FURTHER RESOLVED:** That the City Administrator and her designees are hereby authorized to take whatever action is necessary with respect to said contract, funds and budget consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 16 2013, 20    

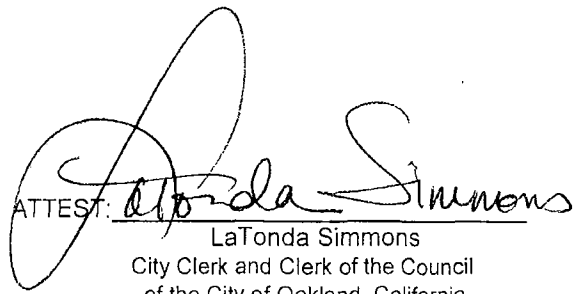
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF, and  
PRESIDENT KERNIGHAN 8

NOES- 0

ABSENT- 0

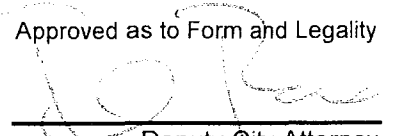
ABSTENTION- 0

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

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OAKLAND

**OAKLAND CITY COUNCIL**

Approved as to Form and Legality

  
Deputy City Attorney

2015 AUG -6 **RESOLUTION No.** \_\_\_\_\_ **C.M.S.**

**A RESOLUTION AMENDING RESOLUTION NO. 84522 C.M.S.  
AUTHORIZING A CONTRACT WITH CAUSA JUSTA TO ADMINISTER  
THE OAKLAND DAY LABOR PROGRAM, TO EXTEND THE CONTRACT  
TO NOVEMBER 30, 2015**

**WHEREAS**, Resolution No. 84522 C.M.S. adopted on July 16, 2013, authorized a professional services contract with Causa Justa to administer the Oakland Day Labor Program in an amount not to exceed \$320,000; and

**WHEREAS**, the contract period was July 1, 2013 through June 30, 2014, with an option to renew for one additional year through June 30,2015; and

**WHEREAS**, the City wishes to extend the contract period to November 30, 2015; now, therefore, be it

**RESOLVED**: That Resolution No. 84522 C.M.S. is hereby amended to authorize the City Administrator to extend the contract for professional services with Causa Justa to operate the Oakland Day Labor Program through November 30, 2015; and be it

**FURTHER RESOLVED**: That the City Administrator and her designees are hereby authorized to negotiate and enter into a contract amendment and to take whatever action is necessary with respect to said contract and amendment consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES -

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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