


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS AND THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS AND AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICE AGREEMENT WITH BEN ROSENFELD CONSULTING, LLC TO EXTEND THE CONTRACT TERM THROUGH JUNE 30, 2026 AND INCREASE THE COMPENSATION BY \$33,000 FOR A TOTAL CONTRACT AMOUNT OF \$80,000

WHEREAS, Ben Rosenfield Consulting LLC entered into a professional services agreement with the City of Oakland on January 20, 2025 for a total contract amount of \$47,000 for a five month term, ending June 30, 2025, to assist with and design a long term fiscal sustainability plan for the City of Oakland; and

WHEREAS, there is a continued need for further development of the long-term fiscal sustainability plan in response to the challenging financial environment and the need to reduce our structural budget deficit; 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 service 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 to do so; and

WHEREAS, the City Council may waiver the City's Local/Small Local Business Enterprise (L/SLBE) program 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, it is in the best interest of the City to waive the RFP/RFQ process and L/SLBE program requirements because Ben Rosenfield Consulting LLC is uniquely situated to provide these important services given that principal Ben Rosenfield who retired from the City and County of San Francisco, spent his last 16 years as the Controller, serving as the chief fiscal officer, responsible for financial operations, monitoring and forecasting economic and financial conditions, auditing government performance, and service as an apolitical financial and policy advisor to the San Francisco Mayor and Board of Supervisors; 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; and

WHEREAS, funding is available is available in Fund 1010, Org 07111 to continue the work that Ben Rosenfield Consulting LLC commenced in January 2025; and

WHEREAS, notwithstanding the authority granted hereby, this Resolution is not intended to supersede the City Administrator's purchase authority set forth in OMC section 2.04.020 and any waivers granted herein shall apply up to the City Administrator's purchase authority; and

WHEREAS, an amendment to Ben Rosenfield Consulting LLC's existing contract is necessary to extend the service delivery of this work; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051 and, for the reasons provided herein and in the accompanying staff report, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ process and the L/SLBE program requirements for the agreement and hereby waives the requirements; and be it

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and enter into an amendment of the professional services agreement with Ben Rosenfield Consulting LLC to extend the term to June 30, 2026, and to increase the not-to-exceed contract amount to Eighty Thousand Dollars (\$80,000.00); and be it

FURTHER RESOLVED: That the City Administrator is authorized to modify, extend or amend the professional services agreement up to the City Administrator's purchase authority set forth in OMC section 2.04.020 without returning to Council; and be it

FURTHER RESOLVED: That City Administrator is authorized to take any other action necessary and consistent with this Resolution and its basic purposes.

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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