

# CITY OF OAKLAND

## AGENDA REPORT

2007 NOV 20 PM 3: 35

**TO:** Office of the City Administrator  
**ATTN:** Deborah A. Edgerly  
**FROM:** Office of the Mayor  
**DATE:** November 15, 2007

**RE:** **A Report and Resolution Waiving the Competitive Request for Proposal and Qualifications (RFP / Q) Process and Authorizing the City Administrator: 1) to Extend the Existing Agreement with Townsend Public Affairs, Inc., the City's State Legislative Representative, to June 30, 2008, 2) to, Thereafter, Continue the Agreement on a Month-to-Month Basis Until October 31, 2008, at the City's Discretion, and 3) to Increase the Agreement up to an Amount-Not-To Exceed One Hundred Twenty-Five Thousand (\$125,000), as Needed, for a Total Agreement Amount-Not-To- Exceed Three Hundred Twenty-Five Thousand Dollars (\$325,000.00)**

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### SUMMARY

This report recommends that the City Council waive the competitive Request for Proposal and Qualifications (RFP/Q) process and authorize the City Administrator: 1) to extend the existing agreement with Townsend Public Affairs, Inc. the City's state legislative representative, to June 30, 2008, 2) to, thereafter, continue the agreement on a month-to-month basis Until October 31, 2008, at the City's discretion, and 3) to increase the agreement up to an amount-not-to exceed one hundred twenty-five thousand dollars (\$125,000), as needed, for a total agreement amount-not-to- exceed three hundred twenty-five thousand dollars (\$325,000).

A Request for Proposal process will be initiated in time for the 2009 legislative calendar.

### FISCAL IMPACT

The proposed contract extension is for a total not to exceed contract amount of \$325,000 and includes services provided up to June 30, 2008, and the four one-month options up to October 31, 2008.

Funding for this contract is available through October 2008 within the General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services (54919), and the State Lobbyist Project (P49300).

### 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. In 2005, the City had no dedicated personnel or contractor to advocate with the state legislature on the City's behalf.

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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.

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 (Resolution No. 79834 C.M.S.) to represent Oakland for the period of April 5, 2006 to January 5, 2007. Resolution No. 80459 C.M.S. extended the contract to December 5, 2007.

### **KEY ISSUES AND IMPACTS**

The City continues to need cohesive, continuous dedicated representation. Townsend Public Affairs, Inc. has provided legislative representation for the City of Oakland since October 15, 2005. One of their major responsibilities will be to continue to work with staff and elected officials to develop legislative proposals for the 2008 legislative session and to identify sponsors for Oakland's proposals. Townsend has consistently performed these tasks during the course of their contract and has developed knowledge of Oakland's legislative needs and challenges.

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 '08 legislative sessions would best serve the City's state legislative goals.

The Mayor's Office intends to work closely with the City Council to establish timelines for the City's 2009 State lobbying services and evaluate next steps with a goal of issuing a Request for Proposal within the next six months.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Advocating on behalf of the City of Oakland to garner support for fiscal decisions that directly impact Oakland's infrastructure such as streets and roads and future developments.

***Environmental:*** Advocating on behalf of the City of Oakland to garner support for environmentally responsible green policies.

***Social Equity:*** Advocating on behalf of the City of Oakland to garner support for social equity policies at the state level.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

This report does not contain ADA or senior citizen issues

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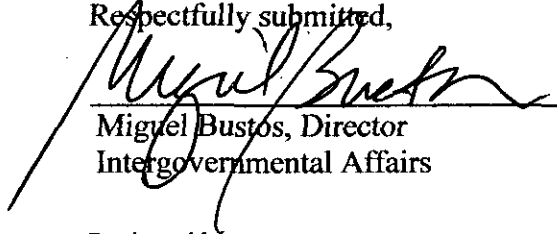
**RECOMMENDATION(S)**

Staff recommends authorizing the City Administrator to extend the existing contract with Townsend Public Affairs.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the City Council adopt a resolution waiving the competitive Request for Proposal and Qualifications (RFP / Q) process and authorize the City Administrator to extend the existing contract agreement with Townsend Public Affairs, Inc. the City's State Legislative Representative.

Respectfully submitted,

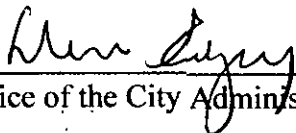


Miguel Bustos, Director  
Intergovernmental Affairs

Reviewed by:  
VaShone Huff, Deputy Director  
Mayor's Office of Intergovernmental Affairs

Prepared by:  
Deborah Barnes, Director  
Department of Contracting and Purchasing

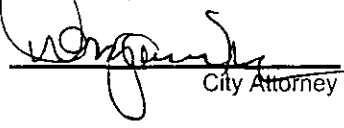
APPROVED AND FORWARDED TO THE  
RULES COMMITTEE:

  
Office of the City Administrator

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# OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

2007 NOV 20 PM 3:35

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR: 1) TO EXTEND THE EXISTING AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC., THE CITY'S STATE LEGISLATIVE REPRESENTATIVE, TO JUNE 30, 2008, 2) TO, THEREAFTER, CONTINUE THE AGREEMENT ON A MONTH-TO-MONTH BASIS UNTIL OCTOBER 31, 2008, AT THE CITY'S DISCRETION, AND 3) TO INCREASE THE AGREEMENT UP TO AN AMOUNT NOT-TO-EXCEED ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$125,000.00), AS NEEDED, FOR A TOTAL AGREEMENT AMOUNT NOT-TO-EXCEED THREE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$325,000.00)**

**WHEREAS**, the City of Oakland desires to complement its 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 entered into a Agreement with Townsend Public Affairs, Inc. on October 15, 2005, for state lobbyist services, and the agreement was subsequently extended to obtain lobbyist services for the 2007 state legislative session; and

**WHEREAS**, a Request for Proposals/Qualifications Process for a state lobbyist will be conducted over the next six (6) months; and

**WHEREAS**, it is in the City's best interests to waive the request for proposals/qualifications process and retain Townsend Public Affairs, Inc. in order to provide continuous legislative advocacy until such time as the Request For Proposal is done and a new contact is awarded; and

**WHEREAS**, services of Townsend Public Affairs, Inc. through June 30, 2008 will cost eighty five thousand dollars (\$85,000.00) and services, thereafter, will be charged at ten thousand dollars (\$10,000) for each month-to-month extension up to forty thousand dollars (\$40,000), which will bring Townsend's total Agreement amount to three hundred twenty five thousand dollars (\$325,000.00); and

**WHEREAS**, the City Administrator has determined that the agreement authorized hereunder is of a professional, scientific or technical and temporary 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 Oakland Municipal Code Section 2.04.051.B and the information set forth in the City Administrator's report accompanying this item, the City Council hereby finds and determines that it is in the City's best interests to waive the request for proposal/qualifications process for 2008 state lobbyist services and so waives the requirements; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to extend the existing Agreement with Townsend Public Affairs, Inc., dated October 15, 2005, to serve as the City's State Legislative Representative for the 2008 State Legislative Session until June 30, 2008; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to continue the agreement with Townsend Public Affairs, Inc. for a period of four (4) months on a month-to-month basis, at the City's discretion, until October 31, 2008; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to increase the agreement with Townsend Public Affairs, Inc., as needed, up to an additional amount not-to-exceed one hundred twenty five thousand dollars (\$125,000.00) to pay for state lobbyist services through October 31, 2008, as needed, for a total agreement not-to-exceed three hundred twenty five thousand dollars (\$325,000.00); 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