


OFFICE OF THE CITY CLERK
OAKLAND
2010 APR 29 PM 7:41

Approved as to Form and Legality

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 82748 C.M.S.

RESOLUTION WAIVING THE ADVERTISING AND COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION REQUIREMENTS AND AWARDING A THREE-YEAR AGREEMENT FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000.00) TO CIVICORPS SCHOOLS TO PROVIDE RECYCLING AND RELATED SERVICES

WHEREAS, in 2002 through Resolution No. 77500 C.M.S. the City Council established a goal of 75% reduction of solid waste going to landfills; and

WHEREAS, in 2006 through Resolution No. 79775 C.M.S., the City Council adopted a Waste Reduction and Recycling Strategic Plan to achieve the 75% solid waste diversion goal by 2010; and

WHEREAS, the City desires to enter into an agreement with Civicorps Schools (formerly the East Bay Conservation Corps) for recycling and related services including: (1) provide interns to assist with the City's Recycling Hotline and public information outreach; (2) support oil recycling activities; (3) provide recycling collection services to eight large City facilities; (4) provide multi-family residential recycling support services; (5) perform bicycle locker cleaning services; and (6) perform additional related work; and

WHEREAS, the activities included in the agreement with Civicorps Schools will be funded by a combination of sources including the Recycling Fund 1710, and grants from CalRecycle (formerly the California Integrated Waste Management Board), the Alameda County Waste Management Authority, the California Department of Resources Recycling and Recovery, and the Measure B Bicycle/Pedestrian Pass Thru Fund; and

WHEREAS, Section 2.04.051.B of the Oakland Municipal Code (OMC) authorizes the City Council to waive the advertising and competitive Request For Qualifications/Request For Proposals ("RFQ/RFP") selection process if it finds that is is in the City's best interests to do so; and

WHEREAS, staff recommends that the City Council waive the advertising and competitive RFQ/RFP process for this contract because this group of services, which includes job training, education, and development programs for at-risk youth in service learning projects in addition to recycling services, is not provided by a vendor other than Civicorps Schools; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that this agreement 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 Chapter 2.04, Article I, section 2.04.050.I.5, and to section 2.04.051.B of the Oakland Municipal Code (“OMC”), the City Council hereby finds that based on the reasons and circumstances set forth herein and in the Report accompanying this Resolution, it is in the best interest of the City to waive the advertising and competitive RFP/RFQ selection requirements of the Oakland Purchasing Ordinance; and be it

FURTHER RESOLVED: That the City Council hereby awards a three-year agreement for a total amount not-to-exceed two hundred ten thousand dollars (\$210,000) to Civicorps Schools to provide recycling and related services; and, be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized and empowered to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in compensation or the allocation of additional funds provided that such amendments or extensions shall be reviewed by the City Attorney and filed with the City Clerk’s Office; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk’s Office and will be approved by the Office of the City Attorney.

MAY 18 2010

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

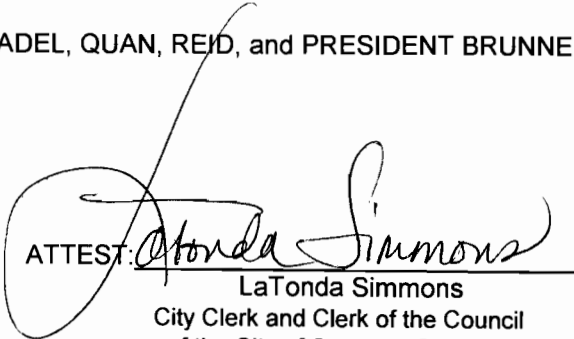
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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