

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 SEP 13 PM 6:43

To: Office of the City Administrator
Attn: Ms. Deborah Edgerly
From: Police Department
Date: September 25, 2007

Re: A Report and Proposed Resolution Dispensing With The Request For Proposal Process For Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, And Authorizing The City Administrator To Extend The Professional Services Agreement With Managed Health Network (MHN) To Provide The Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, For The Period Of July 1, 2006 Through December 31, 2007, In An Amount Not To Exceed One Hundred Five Thousand Dollars (\$105,000.00) For A Total Contract Amount Not To Exceed One Hundred Seventy-One Thousand One Hundred Seventy-Four Dollars (\$171,174.00)

SUMMARY

Staff has prepared a report and proposed resolution dispensing with the Request for Proposal process for psychological counseling services for sworn members of the Police Department and their dependents, and authorizing the City Administrator to extend the professional services agreement with Managed Health Network (MHN) to provide psychological counseling services for sworn members of the Police Department and their dependents, for the period of July 1, 2006 to December 31, 2007, in an amount not to exceed \$105,000, for a total contract amount not to exceed \$171,174. The original contract which covered the period of July 1, 2005 through June 30, 2006 was in the amount of \$66,174.

FISCAL IMPACT

Approval of this resolution will authorize the Department to continue the current agreement with Managed Health Network. Funding in the amount of \$105,000 is included as part of the Police Department's 2007-08 budget appropriation and will be drawn from General Fund (1010), Personnel Division Organization (106210), Miscellaneous Contract Services Account (54919), Project (0000000), Program (PS01).

The City-mandated Contract Assessment Fee associated with the \$105,000 contractual provision totals \$3,150, based on a 3% calculation rate. These funds are also available in the Police Department's General Purpose Fund baseline budget and will be drawn from General Fund (1010), Personnel Division Organization (106210), Miscellaneous Contract Services Account (54919), Project (0000000), Program (PS01).

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BACKGROUND

MHN has provided a program of counseling services to the members of the Oakland Police Officers' Association (OPOA) and their dependents since July 1982, in accordance with the contractual provisions of the Memorandum of Understanding (MOU) between the City and OPOA, and continues to be a leader in providing such services to law enforcement agencies in the Bay Area.

The City Council has requested that the Department re-evaluate its use of sole source providers and provide opportunities for other vendors to provide services to the Department. Accordingly, OPD has begun the RFP process to seek additional providers of these services.

KEY ISSUES AND IMPACTS

The current contract ended in June 2006; however, because there are special provisions in terms of the Oakland Police Officers Association (OPOA) Memorandum of Understanding (MOU), the City was required meet and confer with the OPOA regarding a change to the provider¹. This matter was a discussion item during the OPOA contract negotiations. As the contract negotiations stalled late in 2006 and, in order to continue services, the Department sought to extend the current contract as well as to meet and confer to discuss conducting a Request for Proposal process. On June 20, 2007, the City and OPOA agreed to the City's intent to solicit for a service provider.

The Police Department has begun its search for other qualified service providers able to render psychological counseling services to members of the OPOA and their dependents in accordance with the City's Request for Qualification/Proposal (RFQ/P) process, and expects to enter into a service agreement for said services beginning January 2008.

Managed Health Network provided services during the negotiation period and is needed during the period of solicitation until a new contract is awarded on or about January 1, 2008 or until a new contract is awarded. The current contract ended in June 2006 and the Department did not have a vehicle to provide payment while the City was engaged in negotiations with OPOA. Accordingly, the current contract will need to be extended to allow the City to provide payments until the new contract is awarded.

¹ In accordance with the terms of the MOU between the City of Oakland and the OPOA: Article VIII - Special Provisions, Section C. Employee Health Assistance Programs

Psychological Counseling: City agrees to pay the annual cost of providing psychological counseling services to employees and/or dependents. It is understood that the City contribution is intended to provide a maximum of twelve (12) counseling sessions per employee per year. In the event that a change in the current provider is contemplated, the City agrees to meet and confer with the Association regarding the change, with any impasses resolved by the procedures set forth in the City Charter as same existed on June 1, 1995.

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PROGRAM DESCRIPTION

Managed Health Network (MHN) provides psychological counseling services for sworn members of the Police Department and their dependents. Clinical services are directed toward workplace and personal problems that can be delivered through telephonic and/or face-to-face counseling. In addition to general areas such as marital and family counseling, MHN specializes in counseling for specific job-related stresses that can affect law enforcement personnel such as officer fatalities, critical incident stress debriefings, and other distressing and traumatic occurrences (except in the case of catastrophic events, which is defined as an incident requiring more than 20 hours of counseling).

MHN maintains a broad geographically based network of individual clinicians, which allows individual sworn members and their dependents to choose someone who is compatible and accessible in terms of hours, locale, specialty, etc. This network ensures confidentiality for the sworn members and their families. During January to December 2006, MHN received approximately 100 calls and provided services to 42 Oakland Police Department members and/or their dependents.

SUSTAINABLE OPPORTUNITIES

Economic: No economic opportunities are identified in this report. However, counseling services, including stress debriefing, may enhance the City's risk management strategies.

Environmental: No environmental opportunities are identified in this report.

Social Equity: Psychological counseling services to sworn members of the Police Department and their dependents support frontline law enforcement efforts; which in turn benefits the entire community served by these sworn members.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no Americans with Disabilities Act (ADA) or senior access issues contained in this report.


RECOMMENDATION AND RATIONALE

As Managed Health Network has a current contract with OPD and has effectively provided psychological counseling services to members of the Oakland Police Department and their dependants for many years, it is recommended that the RFP process be dispensed and that the contract with Managed Health Network be extended while the Department engages in the RFP process to provide other mental health service providers an opportunity to provide such services. This will also provide a vehicle to render payment to MHN during the period that the City was engaged in negotiations with OPOA, and for the period that the City goes through the RFP process.

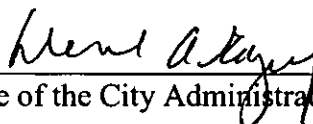
ACTION REQUESTED OF THE COUNCIL

Staff recommends that the City Council accept this report and approve the proposed resolution dispensing with the Request for Proposal process for psychological counseling services for sworn members of the Police Department and their dependents, and authorizing the City Administrator to extend the professional services agreement with Managed Health Network (MHN) to provide psychological counseling services for sworn members of the Police Department and their dependents, for the period of July 1, 2006 to December 31, 2007, in an amount not to exceed \$105,000, for a total contract amount not to exceed \$171,174.

Respectfully submitted,


Wayne G. Tucker
Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

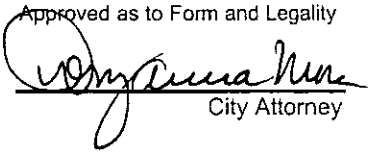
Prepared by: Minnie Chan
Personnel Division
Bureau of Administration

Juanita M. Velasquez
Fiscal Services Division
Bureau of Administration

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FILED
OFFICE OF THE CLERK
CANDIDATE

OAKLAND CITY COUNCIL


City Attorney

2007 SEP 13 PM 6:43
RESOLUTION No. _____ C.M.S.

RESOLUTION DISPENSING WITH THE REQUEST FOR PROPOSAL PROCESS FOR PSYCHOLOGICAL COUNSELING SERVICES FOR SWORN MEMBERS OF THE POLICE DEPARTMENT AND THEIR DEPENDENTS, AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE PROFESSIONAL SERVICES AGREEMENT WITH MANAGED HEALTH NETWORK (MHN) TO PROVIDE THE PSYCHOLOGICAL COUNSELING SERVICES FOR SWORN MEMBERS OF THE POLICE DEPARTMENT AND THEIR DEPENDENTS, FOR THE PERIOD OF JULY 1, 2006 THROUGH DECEMBER 31, 2007, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-ONE THOUSAND ONE HUNDRED SEVENTY-FOUR DOLLARS (\$171,174.00)

WHEREAS, Managed Health Network (MHN) has contracted with the City in the past to provide a program of psychological counseling services to sworn members of the Police Department and their dependents; and

WHEREAS, the Memorandum of Understanding (MOU) between the City and OPOA requires the City to contract with Managed Health Network to provide psychological counseling services for sworn members of the Police Department and their dependents unless a meet and confer is first conducted with the Oakland Police Officers Association (OPOA) to change the provider; and ; and

WHEREAS, the City did not conclude the meet and confer with the OPOA on the subject of conducting a competitive process to select a provider for psychological counseling until recently, at which time the parties agreed that the City would no longer be required to meet and confer before conducting an RFP process for psychological counseling services; and

WHEREAS, Managed Health Network provided psychological counseling services through the meet and confer period (June 30, 2006 to June 30, 2007), and its services will be needed until an RFP process can be conducted and a new contract awarded (approximately January 1, 2008); and

WHEREAS, the City Council finds that the services to be provided under the contract extension are of a professional, technical, scientific and temporary nature and that this contract extension shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the Police Department has funding in the amount of \$105,000.00 for said services in its FY07-09 budget appropriation in General Fund (1010), Personnel Division Organization (106210), Miscellaneous Contracts Account (54919), Project (0000000), and Program (PS01); now, therefore be it

RESOLVED: That pursuant to Oakland Municipal Code 2.04.051.B and information set forth in the agenda report accompanying this item, the City Council finds and determines that it is in the City’s best interests to dispense with the competitive request for proposal/qualifications process for psychological counseling services for sworn members of the Police Department and their dependents, for the period of July 1, 2006 through December 31, 2007 and so dispenses the requirement; and

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to extend the professional services agreement with Managed Health Network (MHN) to continue to provide psychological counseling services for sworn members of the Police Department and their dependents, for the period of July 1, 2006 through December 31, 2007, in an amount not to exceed (\$105,000.00) for a total contract amount not to exceed one hundred seventy-one thousand one hundred seventy-four dollars(\$171,174.00); and be it

FURTHER RESOLVED: That funds are available in the Department’s 07-09 budget appropriation and will be drawn from General Fund (1010), Personnel Division Organization (106210), Miscellaneous Contracts Account (54919), Project 0000000, and Program (PS01); and be it

FURTHER RESOLVED: The City-mandated Contract Assessment Fee associated with the \$105,000.00 contractual provision totals \$3,150.00 and shall be drawn from General Fund (1010), Personnel Division Organization (106210), Miscellaneous Contract Services Account (54919), Project (0000000), Program (PS01); and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement for services, except for any increase in the contract amount without returning to the City Council; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said extended agreement with Managed Health Network, as to form and legality and a copy of the fully executed agreement shall be placed on file with 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