



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR
DESIGNEE TO:**

- 1) **NEGOTIATE AND EXECUTE A CONTRACT BETWEEN FUSE CORPS AND THE CITY (FUSE FELLOW CONTRACT) IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED THOUSAND AND ONE DOLLARS (\$100,001) TO FUND ONE EXECUTIVE-LEVEL FELLOW FOR THE PLANNING AND BUILDING DEPARTMENT FOR A FULL EIGHT-MONTH CONTRACT TERM;**
- 2) **WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS REQUIREMENT FOR THE PROPOSED FUSE FELLOW CONTRACT.**

WHEREAS, FUSE Corps is a nonprofit organization that partners with local government to help urban communities thrive; and

WHEREAS, FUSE Corps specializes in recruiting, training and placing a highly-experienced executive-level professional in government agencies to deliver on high impact projects over 12-month terms; and

WHEREAS, in May 2019, per Resolution No. 87578 C.M.S. adopted by City Council on March 21, 2019, the City entered into a contract with FUSE Corps to bring on one FUSE fellow to aid the Planning and Building Department (PBD) in examining the current PBD workflows related to code enforcement and refine and help PBD adopt new efficiencies that will ultimately result in increased safety and accountability for Oakland residents; and

WHEREAS, Resolution No. 87578 C.M.S. authorized the City Administrator or designee to negotiate and execute a contract between FUSE Corps and the City in an amount not-to-exceed one hundred and fifty thousand dollars (\$150,000) to fund one executive-level fellow for PBD for a full 12-month contract term; and

WHEREAS, on September 25, 2020, PBD entered into a four-month agreement with FUSE Corps in an amount of forty nine thousand, nine hundred and ninety nine dollars (\$49,999) to ensure that there was no lapse in the assessment and implementation of the Proactive Rental Inspection Program (PRIP); and

WHEREAS, PBD is requesting to execute another contract with FUSE Corps to enhance service delivery and recommend improvements to the department's code enforcement process; and

WHEREAS, PBD staff has identified available funds in the amount of one hundred thousand and one dollars (\$100,001) to fund one executive-level fellow for a full eight-month contract term; and

WHEREAS, Oakland Municipal Code section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$50,000 and Oakland Municipal Code section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

WHEREAS, City staff recommends waiving the RFP/Q requirements for these contracts based on the following factors:

- **Unique Service:** FUSE Corps Executive Fellowships are unique and cannot be found through typical government purchasing standards. As a 501(c)3 nonprofit organization, FUSE Corps has proprietary approaches to recruiting, training, coaching and supporting Fellows who participate in the program. As such, a competing "product" would be difficult and possibly prohibitively expensive to find in the private sector, especially given the 12-month nature of the projects; and
- **Efficiencies:** Because FUSE Fellows are already working within the City, there are efficiencies for the City as we would be contracting with a partner who is well-versed with the City and its processes; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are professional, and are temporary in nature; and

WHEREAS, the City Council finds that the agreements 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 the City Council authorize the City Administrator, or designee, to execute a professional services agreement (agreement) with FUSE Corps; and be it

FURTHER RESOLVED: That the total amount of the agreement shall not exceed one hundred thousand and one dollars (\$100,001); and be it

FURTHER RESOLVED: That that said agreements with FUSE Corps shall be executed contingent upon available funding; and be it

FURTHER RESOLVED: That PBD has identified available funding in the amount of \$100,001 in Development Services Fund (2415), Inspections: Neighborhood Preservation Organization (84454), Services: Professional Account (54930), Administrative Project (1000018), Livable Neighborhood Code Enforcement Services Program (NB31); and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to accept and appropriate, as needed, funds for the same for the purposes described above and consistent with this resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California