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CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88904 C.M.S.

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**RESOLUTION AUTHORIZING (1) THE CITY ADMINISTRATOR OR HIS DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CAUSA JUSTA:JUST CAUSE AND ITS PARTNERS STREET LEVEL HEALTH AND CENTRO LEGAL DE LA RAZA TO ADMINISTER THE OAKLAND DAY LABORER PROGRAM FOR FISCAL YEAR 2021-2023 IN AN AMOUNT NOT TO EXCEED TWO HUNDRED AND TWENTY THOUSAND DOLLARS (\$220,000) PER YEAR FOR A TOTAL AMOUNT NOT TO EXCEED FOUR HUNDRED AND FORTY THOUSAND DOLLARS (\$440,000); AND (2) WAIVING THE FORMAL REQUEST FOR PROPOSALS / QUALIFICATIONS PROCESS FOR THE PROFESSIONAL SERVICES AGREEMENT**

**WHEREAS**, on July 28, 2021, the City Council approved Resolution No. 88717 C.M.S., the City of Oakland's Fiscal Year (FY) 2021-23 Biennial Budget, appropriating certain funds to provide for the expenditures proposed by said budget; and

**WHEREAS**, the City Council identified Two Hundred and Twenty Thousand (\$220,000.00) in funds in FY 2021-2022 and Two Hundred and Twenty Thousand (\$220,000) in FY 2022-23 for the Day Laborer Program in the General Purpose Fund (1010), Day Laborer Program (1000167); and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.40 B requires a Request for Proposals/Qualifications process for all professional services contracts of more than Fifty Thousand Dollars (\$50,000); and

**WHEREAS**, Pursuant to OMC Section 2.04.051B, the City Council may waive the Request for Proposals/Qualifications (RFP/Q) requirements for contracts upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have undergone three (3) RFP/Q processes in 2012 for fiscal years 2013 to 2015; in 2015 for fiscal years 2015 to 2017; and 2017 for fiscal years 2017-2019 and have operated the Day Laborer Program since 2013; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have been selected in each of the previous RFP/Q processes because it was either the highest ranking or the only applicant; and

**WHEREAS**, the City Council waived the RFP/Q process for Causa Justa::Just Cause and its partners in 2020 for fiscal years 2019 to 2021 pursuant to Resolution No. 88081 C.M.S. adopted on March 27, 2020; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) ensure that day laborers receive appropriate pay and adequate work conditions; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have deep knowledge of the day laborer community and geographic area (District 5) (Fruitvale Avenue and Foothill Boulevard area) that will be served by this program; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) provide holistic services to day laborers (legal, medical, housing, English as a Second Language support, referrals to government programs, and food security); and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have established a seamless delivery system to ensure equitable work conditions and pay for day laborers and have a built a positive rapport with the businesses, day laborers, and community; and

**WHEREAS**, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) success as the Oakland Day Laborer Program administrators has been documented thoroughly and provided to the Oakland Workforce Development Board, formerly the Oakland Workforce Investment Board, for the past eight (8) years through quarterly reports; and

**WHEREAS**, City staff recommends entering into a professional services agreement with Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) in an amount of Two Hundred and Twenty Thousand Dollars (\$220,000) per year for a total amount of Four Hundred and Forty Thousand Dollars (\$440,000) for fiscal years 2021-2023 to operate the City's Day Laborer Program; and

**WHEREAS**, City staff recommends waiving the Request for Proposals/Qualifications processes for the award of the contract to Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza), to ensure there is no delay or discontinuity in the provision of services to the Fruitvale Avenue and Foothill Boulevard community; and

**WHEREAS**, the City Administrator has determined that this is an agreement for services of a professional, scientific or temporary nature; and

**WHEREAS**, the City finds that this contract will not result in a loss of employment or salary by any person having a permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That pursuant to OMC 2.04.051B, for the reasons provided above and in the report accompanying this resolution, that the City Council hereby finds that it is in the best interest of the City to waive the Request for Proposals / Qualifications Process for the award of the professional services agreement referenced above so that Day Laborer Program participants and the Fruitvale and Foothill communities can continue to receive critical Day Laborer Program services without delay or interruption; and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee is hereby authorized to enter into a professional services agreement with Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de las Raza) to administer the Oakland Day Laborers Program for fiscal years 2021-23 in an amount not to exceed Two Hundred and Twenty Thousand (\$220,000) per year, for total amount not to exceed Four Hundred and Forty Thousand Dollars (\$440,000) from the General Purpose Fund (1010), Workforce Development Organization (85311), Day Laborers Program (1000167); and be it

**FURTHER RESOLVED:** That the City Administrator and her designees are hereby 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:

NOV 16 2021

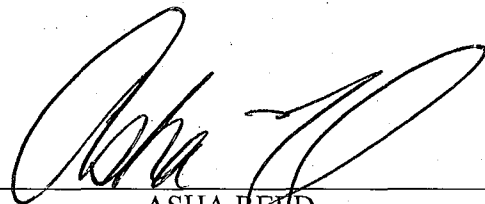
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REHD

City Clerk and Clerk of the Council of  
the City of Oakland, California