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CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89307 C.M.S.

RESOLUTION:

- 1. Authorizing The City Administrator To Negotiate, Award And Execute A Professional Services Agreement With Interwest Consulting Group In An Amount Not To Exceed One Million Dollars (\$1,000,000) For On-Call Planning Permit Support Services On An As-Needed Basis, For A Period Of Eighteen Months, With An Option For The City Administrator To Enter Into a Contract Extension For An Additional Six Months In An Amount Not To Exceed Three Hundred And Fifty Thousand Dollars (\$350,000) Without Returning To City Council, While Waiving The City's Local/Small Local Business (L/SLBE) Program Requirements; And**
- 2. Appropriating One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) From The Development Services Fund (Fund 2415) Balance To Fund Both The Contract Awarded To Interwest Consulting Group And City Administrator Optional Contract Extension To Provide On-Call Planning Permit Support Services on An As-Needed Basis; And**
- 3. Making Appropriate California Environmental Quality Act (CEQA) Findings.**

WHEREAS, the Planning and Building Department (PBD) assists builders, property owners, architects, engineers, and realtors in understanding requirements of the Oakland Planning Code and processing planning-related development applications; and

WHEREAS, PBD is responsible for approving development plan submittals, performing technical reviews of Planning entitlement applications (including but not limited to design review, variances, tentative maps and conditional use permits) under the Oakland Planning Code; and for performing administration and review of the California Environmental Quality Act (CEQA); and

WHEREAS, the review and processing of a planning application for code compliance is a critical component and a required step to ensure that all development is consistent with regulations of the Oakland Planning Code; and

WHEREAS, permit review and processing duties must be completed within a timely manner; and

WHEREAS, PBD is experiencing a high volume of planning applications of all types including residential development applications; and

WHEREAS, PBD is facing a staff shortage that makes it difficult to intake and process the increased number of development applications within a desired reasonable timeline; and

WHEREAS, Oakland is experiencing a housing shortage, and especially affordable housing shortage; and

WHEREAS, any delay in housing permitting review and approvals delays the production and exacerbates the shortage of housing, including much-needed affordable housing; and

WHEREAS, professional on-call permit processing support services are necessary to facilitate the timely completion of both existing projects, and increased new development application activity; and

WHEREAS, PBD anticipates that permit applications for private development projects of all sizes may benefit from on-call permit processing and support services agreements; and

WHEREAS, on-call permit processing services will be fully funded by applicants requesting these services; and

WHEREAS, on May 6, 2022, the City received one (1) responsive and qualified proposal submitted by Interwest Consulting Group, in response to a competitive Request For Proposal (RFP) process pursuant to the Oakland Municipal Code Section 2.04.051 for professional consulting services for as-needed on-call permit support services, specifically entitlement applications review and administration and CEQA review; and

WHEREAS, PBD recognizes the need for augmented staffing capacity, which is in part the result of the Building Bureau currently being in professional services agreements with on-call consultants for Building-related plan review and permits approval; and

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

WHEREAS, PBD requests that the City Council waive the City's L/SLBE program requirements in order to execute the contract with Interwest Consulting Services, the sole respondent, because the Department of Workplace and Employment Standards has confirmed that the Consultant did not meet either the Local or Small Local Business Enterprise requirement; and

WHEREAS, the City Council finds that it is in the best interests of the City to waive the City's L/SLBE program requirements to award the contract to Interwest Consulting Services for as-needed, on-call permit support services pursuant to OMC Section 2.04.051; and

WHEREAS, PBD requests that the City Council appropriate One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) from the Development Service Fund (2415) balance to finance the contract awarded for the provision of as-needed on-call permit support services; 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 authorizes the City Administrator to negotiate, award and execute a Professional Services Agreement with Interwest Consulting Group in an amount not to exceed One Million Dollars (\$1,000,000) for on-call planning permit support services on an as-needed basis for up to eighteen (18) months, with an option for the City Administrator to enter into a contract extension for an additional six (6) months in an amount not to exceed Three Hundred And Fifty Thousand Dollars (\$350,000) without returning to City Council, while waiving the City's L/SLBE program requirements; and be it

FURTHER RESOLVED: That the City Council authorizes appropriating One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) from the Development Service Fund (2415) balance to finance the contract awarded to Interwest Consulting Group to provide on-call planning permit support services on an as-needed basis for up to eighteen months, with an option for the City Administrator to enter into a contract extension for an additional six (6) months without returning to City Council; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the City Council finds that this action is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) (common sense exemption and 15306 (information collection).

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 5 2022


PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

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