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Approved as to Form and Legality

Ruica Thaple

City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. 89399 C.M.S.

RESOLUTION AWARDING TWO CONTRACTS TO TOWNSEND PUBLIC AFFAIRS TO SERVE AS THE CITY OF OAKLAND STATE LOBBYIST AND PROVIDE GRANT SUPPORT FROM OCTOBER 1, 2022 TO SEPTEMBER 30, 2024 FOR A TOTAL AMOUNT NOT TO EXCEED \$420,000 AND TO SERVE AS THE CITY OF OAKLAND FEDERAL LOBBYIST AND PROVIDE GRANT SUPPORT FROM OCTOBER 1, 2022 TO SEPTEMBER 30, 2024 FOR AN AMOUNT NOT EXCEED \$252,000 AND AUTHORIZING THE CITY ADMINSTRATOR, WITHOUT FURTHER COUNCIL ACTION, TO EXERCISE AN OPTION TO RENEW EACH CONTRACT FOR A THIRD YEAR UNDER THE SAME TERMS AND CONDITIONS FOR AN AMOUNT NOT TO EXCEED \$210,000 FOR THE THIRD YEAR OF THE STATE LOBBYIST CONTRACT AND \$126,000 FOR THE THIRD YEAR OF THE FEDERAL LOBBYIST CONTRACT AND AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE THE CITY'S LOCAL BUSINESS/SMALL LOCAL BUSINESS PROGRAM PARTICIPATION REQUIREMENTS

WHEREAS, the City of Oakland desires to complement its state advocacy efforts in the California State Legislature and with the Governor and its federal legislative advocacy efforts in the United States Congress and Executive Branch; and

WHEREAS, the City desires to assemble and organize pertinent information, facts and data relating to legislative matters affecting the City and its interests and to present and disseminate such information to legislative bodies, executive officials of the state and federal government and other bodies, commissions, committees and organizations; and

WHEREAS, the services above primarily involve state and federal legislative and administrative advocacy and the assistance of individuals in such matters who will best serve the interests of the City; and

WHEREAS, Townsend Public Affairs was retained to provide state legislative lobbyist services in 2006 and federal legislative lobbying services in 2011; and

WHEREAS, Townsend Public Affairs has worked closely with City leadership to secure passage of numerous pieces of Oakland sponsored legislation covering topics such as public

safety, environmental protections, support for local government, seismic safety and transportation; and

WHEREAS, Townsend Public Affairs has during its tenure as the City's lobbying firm, worked with City leadership to apply for, secure or protect hundreds of millions dollars in State and Federal funds for public, transportation projects, parks; and affordable housing projects, in addition to recovering essential funds resulting from the dissolution of redevelopment agencies; and

WHEREAS, Townsend Public Affairs has taken the lead with the City to draft, prepare, present and adopt an annual state and federal legislative agenda which includes both policy matters and assistance in identifying or creating new revenue sources for City objectives and projects; and

WHEREAS, Townsend Public Affairs has demonstrated a high level of skill at working with City officials and City Leadership, sensitivity to the legislative and funding needs of the City, the ability to target and successfully address significant issues pending in the state and federal government for City involvement; and

WHEREAS, Townsend Public Affairs has been providing grant support services through a contract with the City Administrator's Office from June 2021 to June 2022; and

WHEREAS, in March 2021, the City released separate Requests for Proposals for state and federal lobbying services and grant support; and

WHEREAS, by the submittal deadline on April 13, 2021, the City received one response for the state lobbyist RFP and one response for the federal lobbyist RFP; and

WHEREAS, Townsend Public Affairs submitted a responsive proposal, meeting all the requirements for the RFPs for the State Lobbyist/grant support and the Federal Lobbyist/grant support; and

WHEREAS, Townsend Public Affairs has operated an office in Oakland since 2007 and was previously certified as a Local Business Enterprise (LBE) from 2007 through 2022, under current regulations it does not qualify as a LBE as its headquarters are not in Oakland;

WHEREAS, Townsend Public Affairs will subcontract 25% of the work to 360 Total Concepts, who is a certified Small Local Business Enterprise (SLBE); and

WHEREAS, Townsend Public Affairs has deep knowledge of City of Oakland operations, projects and priorities and the City Administrator recommends that the City Council waive the 50% L/SLBE requirement for this contract;

WHEREAS, the funding for these contracts is available from General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services Account (54919), Federal Lobbyist Project (1000468) and State Lobbyist Project (100467), and Finance and Management Administration (08111), DP080 Administrative Project (1000007); and

WHEREAS, staff recommends that the State lobbyist contract be awarded for the term of October 1, 2022 to September 30, 2024 for an amount not to exceed \$420,000 and the Federal lobbyist contract be awarded from October 1, 2022 to September 30, 2024 for an amount not to exceed \$252,000; and

WHEREAS, the City Administrator has determined that the aforementioned contracts are of a professional and temporary nature and 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 Council hereby awards a contract to Townsend Public Affairs To Serve As the City of Oakland State Lobbyist From October 1, 2022 to September 30, 2024 For A Total Amount Not To Exceed \$420,000; and be it

FURTHER RESOLVED: That the Council hereby awards a contract to Townsend Public Affairs to serve as the City of Oakland Federal Lobbyist from October 1, 2022 to September 30, 2024 for a total amount not to exceed \$252,000; and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.051.A and based upon the reasons stated above and in the City Administrator's report accompanying this resolution, it is in the best interest of the City to waive the advertising and competitive bidding requirements of the OMC and the L/SLBE requirements and authorize the City Administrator to enter into a contract with Townsend Public Affairs to serve as the City of Oakland Federal Lobbyist from October 1, 2022 to September 30, 2024 for a total amount not to exceed \$252,000; and be it

FURTHER RESOLVED: That the City Administrator shall have the option to renew each of the aforementioned contracts for a period of one additional year from October 1, 2024 to September 30, 2025 under the same terms and conditions for an amount not to exceed \$210,000 for the third year of the state lobbyist contract and \$126,000 for the third year of the federal lobbyist contract; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to complete all required negotiations, certifications, assurances, agreements, and documentation required to modify or extend at no-cost the contract; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, **SEP 20 2022**

PASSED BY THE FOLLOWING VOTE:

AYES - ~~11/11/11~~ GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS - 7

1 NOES - ~~File~~

ABSENT - ~~0~~

ABSTENTION - ~~0~~

ATTEST:



ASHA REED

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