

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY INTERIM CITY ADMINISTRATOR STEVEN FALK

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**RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO KAIZEN INFOSOURCE LLC TO PREPARE A NEW RECORDS RETENTION POLICY FOR THE CITY OF OAKLAND IN AN AMOUNT NOT TO EXCEED \$60,000 UTILIZING THE FUNDS ALLOCATED FOR THAT PURPOSE IN THE FISCAL YEAR 2022-23 MID-CYCLE BUDGET, PURSUANT TO RESOLUTION NO. 89283 C.M.S., TO UPDATE AND REPLACE THE EXISTING POLICY LAST UPDATED IN 2003; WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) PROCESS PURSUANT TO OAKLAND MUNICIPAL CODE SECTION 2.04.051.B AND THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS IN THE BEST INTERESTS OF THE CITY**

**WHEREAS**, the City Charter identifies the City Clerk as the custodian of official City records and the City Clerk is required to maintain the City's Records Retention Policy; and

**WHEREAS**, the City's Records Retention Policy was last updated 20 years ago, in February 2003, and the Records Retention Policy requires updating and modernization; and

**WHEREAS**, this vendor has already completed a Records Roadmap and Records health assessment for the City to prepare for the creation of an updated Records Retention Policy; and

**WHEREAS**, the City Council allocated \$60,000 for this purpose in the FY 2022-23 midcycle budget, pursuant to 89283 C.M.S.; and

**WHEREAS**, allowing this consultant to complete this task is the most efficient of City resources because this vendor has already completed the first step of this process by conducting a Records and Information Management Assessment providing the City with an Executive Report of Findings and Recommendations and her familiarity with the City's records and current retention policies will save time and avoid any loss of time/expense bringing another consultant up to speed; and

**WHEREAS**, in addition to specific experience Kaizen is qualified for this work because she has extensive experience in the field of records management and is familiar with the City of Oakland's challenges; and

**WHEREAS**, Kaizen has developed the specifications for the City of Oakland's current offsite storage vendor and facilitated the RFP process, and delivered to the City a cost comparison of the top vendors as well as a report with recommendations and facilitated training for department records liaisons with new offsite storage vendor and provided liaisons with training; and

**WHEREAS**, OMC section 2.04.040.B.4 requires the City Administrator to conduct a Formal Request for Proposals/Qualifications (RFP/Q) process for professional services contracts over \$50,000, and OMC section 2.04.051.B permits the City Council or its designee to waive the RFP/Q process for contracts in any amount upon a finding that it is in the best interests of the City to do so; and

**WHEREAS**, the Local/Small Local Business Enterprise (L/SLBE) Program, Ordinance No. 13647 C.M.S., requires a minimum fifty-percent (50%) participation for all professional service contracts valued at or over fifty thousand dollars (\$50,000) when there are at least three certified businesses listed in the industry, trade, or profession that constitutes a major category of work; and if at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available; and

**WHEREAS**, the City Council finds and determines, for the reasons set forth above, including Kaizen's specific and extensive professional experience and prior work on the first phase of updating the Records Retention Policy in Oakland, that waiver of the competitive RFP/Q process and the L/SLBE Program requirements is in the City's best interests; and

**WHEREAS**, the City Council finds that this contract is for services of a professional, scientific or technical nature; and that services under the contract will be temporary in nature shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

**RESOLVED:** That the City Council awards a professional services contract to Kaizen InfoSource LLC for an amount not to exceed Sixty Thousand Dollars (\$60,000) utilizing the funds designated in the Fiscal Year 2022-23 mid-cycle budget for that purpose, pursuant to Resolution No. 89283 C.M.S., to prepare a new Records Retention Policy for the City of Oakland; and be it

**FURTHER RESOLVED:** That for the reasons set forth above and in the report that accompanies this Resolution, the City Council finds that it is in the best interests of the City to waive the RFP/Q and L/SLBE program requirements, pursuant to OMC section 2.04.051(B) and Part I of Oakland's Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S. and so waives the requirements; and be it

**FURTHER RESOLVED:** That the City Administrator or their designee is authorized to complete all required negotiations, execute the agreement, and take any other action consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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

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