


Celso Ortiz (Apr 27, 2023 13:30 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

1. **WAIVING THE CITY OF OAKLAND'S ADVERTISING AND SOLICITATION OF PROPOSALS/QUALIFICATIONS REQUIREMENTS;**
2. **AUTHORIZING THE CITY ADMINISTRATOR TO:**
 - A. **EXTEND THE CONTRACT WITH CIVICORPS SCHOOLS (CONTRACT PURCHASE ORDER 2020003454), ESTABLISHED PER RESOLUTION NUMBER 87719 C.M.S., FOR FIVE ADDITIONAL YEARS ENDING IN 2029 WITH AN EXPANDED SCOPE OF WORK; AND**
 - B. **INCREASE THE CONTRACT AMOUNT FROM THREE HUNDRED THOUSAND DOLLARS (\$300,000) TO AN AMOUNT NOT TO EXCEED NINE HUNDRED THOUSAND DOLLARS (\$900,000); AND**
3. **ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

WHEREAS, the City of Oakland (City) currently has an agreement with Civicorps Schools (Contract Number 2020003454), that will expire on June 30, 2024, for recycling and related services to be performed by local youth; and

WHEREAS, the City desires to expand the scope of work for this agreement to include trail maintenance and brush clearance services in open space parks; and

WHEREAS, Oakland Municipal Code (OMC) Sections 2.04.040.B.4 and 2.04.051.A.1 require the City to conduct a formal advertising and competitive Request for Qualifications/Proposals (RFQ/RFP) selection process for professional services agreements over \$50,000.00; and

WHEREAS, OMC Section 2.04.051.B authorizes the City Council to waive the advertising and competitive RFQ/RFP selection requirements if it finds that it is in the City's best interests to do so; and

WHEREAS, the City Council waived the advertising and competitive RFQ/RFP process when establishing the current contract with Civicorps Schools in Resolution No. 87719 C.M.S.; and

WHEREAS, staff recommends that it is in the City's best interests for the City Council to again waive the advertising and competitive RFQ/RFP requirements for this contract extension because Civicorps Schools is the only conservation corps in Oakland and is uniquely qualified to provide needed services that include job training, education, and development programs for local at-risk youth in service-learning projects; and

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

WHEREAS, the City Council finds that extending this agreement with Civicorps Schools will 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, pursuant to OMC 2.04.051.B and for the foregoing reasons, the City Council finds and determines that it is in the best interests of the City to waive the formal advertising and RFQ/RFP requirements and so waives the requirements; and be it

FURTHER RESOLVED: That the City Council hereby awards an extension of Civicorps Schools contract (#2020003454) for five years from July 1, 2024, to June 30, 2029, in a contract amount not to exceed nine hundred thousand dollars (\$900,000); and be it

FURTHER RESOLVED: That the activities included in this agreement with Civicorps Schools will be funded by a combination of sources including: the Recycling Program Fund 1710, Environmental Services: Recycling Organization (30682), Miscellaneous Contract Account (54919), Non-Residential Recycling Project (1001673); the California Integrated Waste Management Board Fund (2154), Environmental Services: Recycling Organization (30682), Miscellaneous Contract Account (54919), OPP6 Used Oil, Recycling Project (1001040); the Measure B: Bicycle/Pedestrian Pass Through Funds (2212), Engineer Design: IPPD Capital Improvement Projects Organization (92260), Miscellaneous Contract Account (54919), B&P Bicycle Facilities Design-Implementation Project (1000707); and the Measure Q Fund (2244), Landscape Maintenance Organization (30652), Services: Miscellaneous Account (54929), and Administrative Projects (1000010); and be it

FURTHER RESOLVED: That the City Administrator is authorized to conduct all negotiations and execute and submit all documents, including but not limited to agreements and payment requests, and to take any other action consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized and empowered to approve any subsequent amendments to said agreement, except for those related to an increase in compensation or the allocation of additional funds provided that such amendments shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That City Council has reviewed the proposed project and independently finds and determines that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That the City Administrator shall file a Notice of Determination/Exemption with the Clerk of the County of Alameda on the project named in this Resolution; and be it

FURTHER RESOLVED: That the agreement shall be reviewed and approved by the Office of the City Attorney for form and legality and placed on file in the Office of the City Clerk.

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