

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION (1) AUTHORIZING THE CITY ADMINISTRATOR 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 YEARS 2023-2025 IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY THOUSAND DOLLARS (\$220,000) PER YEAR FOR A TOTAL AMOUNT NOT TO EXCEED FOUR HUNDRED FORTY THOUSAND DOLLARS (\$440,000); AND (2) WAIVING THE FORMAL REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS FOR THE PROFESSIONAL SERVICES AGREEMENT

WHEREAS, on June 26, 2023, the City Council approved Resolution No. 89804 C.M.S, the City of Oakland (City) Fiscal Year (FY) 2023-25 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 Dollars (\$220,000.00) in FY 2023-24 and Two Hundred and Twenty Thousand Dollars (\$220,000) in FY 2024-25 for the Day Laborer Program in the General Purpose Fund (1010), Day Laborer Program (1000167); and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.40B requires a Request for Proposals/Qualifications (RFP/Q) 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 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 FY 2013-15; in 2015 for FY 2015-17; and 2017 for FY 2017-19; 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 (Street Level Health and Centro Legal de la Raza) in 2021 for FY 2021-23 pursuant to Resolution No. 88904 C.M.S. adopted on November 16, 2021 and in 2020 for FY 2019-21 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) have operated the Oakland Day Laborer Program since 2013 and 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 (Council 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 2023-2025 to operate the City's Day Laborer Program; and

WHEREAS, City staff recommends waiving the RFP/Q 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 RFP/Q 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 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 2023-25 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 Project (1000167); and be it

FURTHER RESOLVED: That the City Administrator is 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:

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

NOES –

ABSENT –

ABSTENTION –

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