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OAKLAND

# OAKLAND CITY COUNCIL

*Macanlay*  
City Attorney

RESOLUTION No. 85063 C.M.S.  
2014 MAY 29 AM 9:51

**RESOLUTION 1) WAIVING THE REQUEST FOR PROPOSAL /QUALIFICATION (RFP/Q) PROCESS, 2) AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH CAMPS IN COMMON TO OPERATE FEATHER RIVER CAMP AND MAKE IMPROVEMENTS AT THE CAMP FOR A ONE YEAR TERM WITH TWO ADDITIONAL THREE-YEAR OPTIONS TO RENEW WITHOUT RETURNING TO COUNCIL, AND 3) WAIVE ADVERTISING AND BIDDING AND THE RFP/Q PROCESS FOR IMPROVEMENT PROJECTS**

**WHEREAS**, the City has a Special Use Permit to operate Feather River Camp located on U.S. Department of Agriculture, Forest Service property outside Quincy, California for the purposes of providing outdoor recreational programming, art and cultural activities in a summer camp environment know as Feather River Camp (FRC); and

**WHEREAS**, the City desires to continue operating the FRC property for the purposes of providing summer camp programming for Oakland residents; and

**WHEREAS**, Camps In Common (CIC) is a local nonprofit corporation formed in 2003 to operate Feather River Camp as an alternative to the City closing down camp operations due to budget constraints; and

**WHEREAS**, due to budget reductions, the City no longer directly operates FRC but supports FRC through payment of U.S. Forest Service Special Use Permit fees, utility fees and collaborates on grant development; and

**WHEREAS**, the campsite at FRC requires improvements and such improvement projects will benefit the City and provide Oakland residents with recreational camping amenities; and

**WHEREAS**, Oakland Municipal Code (OMC) section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$25,000 and OMC section 2.04.051.B allows the City Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

**WHEREAS**, OMC section 2.04.050.A. requires the City Administrator to conduct advertising and bidding and award to the lowest responsible responsive bidder for the purchase of products or goods, and Oakland Municipal Code section 2.04.050.I.5 allows Council to waive advertising and bidding requirements upon a finding by Council that it is in the best interest of the City to do so; and

**WHEREAS**, staff recommends waiving the RFP/Q process for the operating agreement with CIC because CIC is a local non-profit that was formed to operate the camp; CIC has extensive knowledge regarding the operation and maintenance of the camp; and Camp season begins in June; and

**WHEREAS**, staff recommends that it is in the best interest of the City to waive advertising and bidding and the request for proposals/qualifications process for the proposed future improvement projects due to the remote camp location in Plumas National Forest, to ensure economic feasibility and contractor's familiarity of work in the locality, and because the onsite camp operator is given the responsibility to operate, manage, and maintain FRC and has an employee with extensive construction experience who can perform some of the services; and

**WHEREAS**, the City Administrator has determined that the contracts to be approved hereunder are professional and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, the City Administrator has determined that the value of the in-kind services provided by CIC results in a net benefit to the City that is equal to or exceeds 75% of the fair market rent for the FRC; now, therefore be it

**RESOLVED:** That the Oakland City Council authorizes the City Administrator, or his designee, to execute an agreement with Camps in Common to operate Feather River Camp for a one year term including the 2014 summer season with two additional three year options to renew at the City's sole discretion, and for CIC to perform, manage and oversee projects for improvements at FRC; and be it

**FURTHER RESOLVED:** That pursuant to OMC sections 2.04.051.B and 2.04.050.I.5 and for the reasons stated above and in the City Administrator's report accompanying this item, the Oakland City Council finds that it is in the best interests of the City to waive all applicable advertising and bidding and RFP/Q requirements for this agreement and hereby waives the requirements; and be it

**FURTHER RESOLVED:** That based on the information provided above, the City Council finds that the value of the in-kind services provided by CIC results in a net benefit to the City that is equal to or exceeds 75% of the fair market rent for the FRC; and be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement without returning to Council, except those increasing the term of the agreement beyond the two options to renew; and be it

