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OAKLAND

2015 DEC -3 PM 5:57

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Teresa Deloach Reed
Fire Chief

SUBJECT: OFD Goat Grazing Contract

DATE: December 2, 2015

City Administrator Approval

Date:

12/3/15

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution:

- 1) Waiving The Advertising And The Fixed, Sealed Bid, Price-Based Bid Process; And**
- 2) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Contract With Ecosystems Concepts, Inc. (ECI), For The Purpose Of Providing Fire Prevention Services In The Manner Of Goat Grazing, To The City Of Oakland Within The Designated Wildland Urban Interface Area Known As The Wildfire Prevention District For A Two (2) Year And Six (6) Month Period Beginning July 1, 2015 Through December 31, 2017, For A Total Contract Amount Not To Exceed Six Hundred Seventy-Five Thousand, Five Hundred Seventy-Five Dollars (\$675,575.00) For The Entire Two (2) Year And Six (6) Month Period.**

EXECUTIVE SUMMARY

The Oakland Fire Department (OFD) is seeking Council approval of a contract with EcoSystems Concepts, Inc.(ECI) for a Two (2) Year and Six (6) Month contract period of July 1, 2015 to December 31, 2017, without exceeding the total contract amount of six hundred seventy-five thousand, five hundred seventy-five dollars (\$675,575.00), for the manner of fire prevention services for the purposes of goat grazing to reduce hazardous vegetation fuel loads in the high fire severity zone. ECI having met all of the RFQ qualifications was awarded the 2010 goat grazing contract, as being the top qualifying vendor to apply.

BACKGROUND/LEGISLATIVE HISTORY

The Wildfire Prevention Assessment District (WPAD) was created in 2004 through Council Resolution No. 78521 C.M.S., identifying and designating the high fire severity zone located in the Oakland hills. The WPAD Citizen Advisory Board, comprised of Oakland residents

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appointed by the City Council and Mayor's Office, was created to provide oversight and best recommendations for programs/projects including recommendations for funding allocations. In order to provide funding for vegetation management and mitigation programs/services specific to the WPAD, a parcel assessment on properties located within the designated WPAD was approved by voters in 2014. The assessment resulted in an annual WPAD budget with expenditure line items recommended and approved by the WPAD Citizen Advisory Board in conjunction with the Oakland Fire Department (OFD), to be used for vegetation management and mitigation programs/services. All line item expenditures are subject to the City of Oakland policies and procedures including final budget review and approval.

In 2010, the Oakland Fire Department, as authorized by Resolution No. 82798 C.M.S., entered into a four (4) year contract with ECI to provide annual goat grazing services within the WPAD for the purpose of reducing hazardous vegetation fuel loads throughout open space areas, on approximately one thousand seventy-four (1,074) acres of City of Oakland owned property in the area.

The past contract with ECI provided excellent services to the City of Oakland. Through this contract, ECI significantly reduced the threat of fire by successfully managing fuels reduction on approximately one thousand four hundred (1,400) acres of open space and park lands located within the WPAD. The previous contract has now expired and because vegetation regrows annually, a new contract is needed to continue grazing practices to prevent possible fire events in the Oakland hills. California Fire Code, Chapter 49 requires that properties be maintained in a fire safe condition year round, including City owned parcels.

ANALYSIS AND POLICY ALTERNATIVES

The WPAD Citizen Advisory Board recommended allocating annual WPAD budget funds specifically for goat grazing. Goat grazing is the most cost effective way to clear hazardous fuel loads from approximately one thousand three hundred ninety-four (1,394) acres currently identified in 2015 as City of Oakland property in the WPAD requiring grazing.

Goat grazing services are more efficient in that they are performed in less time than other methods, including hand crews, as more ground is covered with a greater amount of goats than laborers or machinery. Additionally, goat grazing allows for easier and safer access to areas difficult for mechanical or hand crew removal due to slope inclination and terrain.

Goat grazing is the most cost effective way to clear hazardous fuel loads in the hills area, as determined by an internal statistical analysis based on historical figures from past contracts, using both hand crews/machinery vs. goat grazing. The average cost for clearing one (1) acre of land to a height of four (4) inches or less, as required by Sections 4907 through 4910 of the California Fire Code, using goat grazing services, is approximately four hundred dollars (\$400.00) to five hundred dollars (\$500.00) per acre. This cost is less than the estimated cost of fuel reduction by other means, which averages one thousand five hundred dollars (\$1,500) per

acre. Therefore, goat grazing services are the most effective and fiscally responsible method of fuel reductions.

On February 15, 2015 a Request for Qualifications (RFQ) opened for a period of 20 calendar days and was posted on the City of Oakland's website and published in the following newspapers: Oakland Tribune, Oakland Post, San Francisco Chronicle, and the Sacramento Bee. Additionally, direct contact to established local and northern California vendors who provide goat grazing services was made by the OFD's Vegetation Management Supervisor, informing them of the RFQ publishing. These vendors were: ECI, Goats R Us, Western Grazers, and City Grazers. Only two vendors responded to the RFQ: EcoSystems Concepts, Inc. and Goats R Us, no other vendors local or otherwise responded to the RFQ.

After review of the two (2) vendors' who submitted proposals to the RFQ, one (1) vendor, EcoSystems Concepts, Inc., was identified as meeting all the qualification criteria, and providing all relative documentation required of the RFQ. The second responding vendor, Goats R Us, did not provide verification documentation according to the RFQ requirements, including veterinary care; size of herd, quarantine provisions; and environmental awareness.

After careful review of both responses, staff does not believe it is in the in the best interests of the City to award this contract solely based on who is the lowest responsive bidder. Due to the complexity of managing the effective and proper implementation of the vegetation management program that meets fuel reduction needs and ensures the City of Oakland is in compliance with various federal and state environmental, endangered/protected species, health and safety, and veterinary care requirements, and based on past discussions with other Bay Area agencies that employ goat grazing vendors to manage vegetation, staff recommends that it is in the best interests of the City to waive the advertising and bidding requirements and instead make a determination of a qualified vendor based on the formal RFP/Q process. As such, staff has determined that having met all of the RFP/Q qualifications, ECI is the most qualified vendor to provide goat grazing services and has been selected as the most qualified vendor in the best interest of the City and its residents.

Given the previous goat grazing contract expired in the middle of the goat grazing season, a new contract with ECI is essential to cover the period beginning July 1, 2015 and extending through December 31, 2017, thereby ensuring the contract does not expire in the height of the season, as a longer contract period allows added flexibility to accommodate fluctuations in weather and fuel loads.

FISCAL IMPACT

Fund Source	Organization	Account	Project	Program	Amount
2321- Wildland Fire Prevention Assess District	20311 - Fire Marshal's Office	54911 - Services: Contract	0000000	PS23- Fire Prevention Bureau	\$675,575.00
Total Project:					\$675,575.00

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Funding for the proposed professional services contract shall be drawn from Wildfire Prevention Assessment District (WPAD) Fund (2321), Fire Marshal's Office, Organization (20311), Services: Contract, Account (54911), Fire Prevention Bureau, Program (PS23).

PUBLIC OUTREACH/INTEREST

Meetings are held annually prior to the beginning of goat grazing season with a variety of community organizations and the public to discuss any concerns relative to goat grazing and ecological effects.

This year's meetings were held in April and May. The meetings for public input were held within the park area at Joaquin Miller Park and at King Estates to address concerns regarding erosion to hiking and mountain biking trails in the open spaces in that area.

Additionally, in-field meetings were held with the Native Plant Society of Oakland/Berkeley to address grazing practices and the preservation of native bunch grasses, and the Friends of Sausal Creek to address protection of the creek bank.

COORDINATION

Staff coordinated with the Contract Compliance Division, Controller's Bureau, and Office of the City Attorney in preparation of this report.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

ECI has consistently provided exemplary service to the City of Oakland. The previous contract with ECI from 2010-2014 yielded maintenance of over nine hundred (900) to one thousand four hundred (1,400) acres annually and minimized the number of incidents in the Oakland Hills high fire severity zones while saving the City thousands of dollars in fire-related response activity in these areas.

ECI's operation provides twenty four (24) hour supervision with onsite shepherds and continual veterinary evaluation and care. Their operation maintains the highest level of care for their herd animals. They employ a full time certified forester to monitor grazing and to ensure overgrazing does not occur, and threatened or protected plant species are isolated from the herd to prevent damage or loss. ECI is environmentally conscious and sensitive to issues such as erosion, protection of native species, and preservation of riparian habitat.

ECI's past practice has demonstrated their willingness to modify operations, based on threat of fire and fuel load. ECI responds immediately when changes in the grazing schedule occur, relocating a herd to address overgrown vegetation that threatens a neighborhood and/or City infrastructure, as required.

ECI's past service to the City has proven itself worthy and beneficial in that no large scale fire responses have been required in any of the designated areas in which their company has provided goat grazing services.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed professional services contract affords no sustainable economic opportunities.

Environmental: Goat grazing introduces livestock and fire safety management agricultural practices to the City of Oakland, leading to a fire safe and healthy environment that benefits the entire City by reducing the chance of wildfire. Efficient management and enforcement strategies help to ensure the Oakland Fire Department is able to reduce fuel loads before the peak of the regional fire season, thereby protecting life and property. Additionally, the reduction of potential wildfires will result in less land destruction from fires and reduced air pollution produced by smoke.

Social Equity: The goat grazing technique allows for the preservation of local open spaces that are available for all citizens to use. This fire prevention method keeps our parks and open spaces clear and available for activities such as biking, hiking, dog walking, and picnicking.

Furthermore, educational opportunities are provided to local schools who utilize tours to enhance environmental and agricultural awareness, and instruct youth on the specific role and benefits goat grazing has in fire safety within the City of Oakland.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt a resolution authorizing the City Administrator or her designee to: 1) enter into a professional services contract with EcoSystems Concepts, Inc. (ECI), for the purpose of providing fire prevention services in the manner of goat grazing, to the City of Oakland within the designated wildland urban interface area known as the Wildfire Prevention District for a two (2) year and six (6) month period beginning July 1, 2015 through December 31, 2017, for a total contract amount not to exceed six hundred seventy-five thousand, five hundred seventy-five dollars (\$675,575.00) for the entire two (2) year and six (6) month period.

For questions regarding this report, please contact Vincent Crudele, Vegetation Management Supervisor, at 510-238-7391.

Respectfully submitted,



TERESA DELOACH REED
Fire Chief, Oakland Fire Department

Reviewed by:
Rebecca Kozak, Executive Assistant

Prepared by:
Vincent Crudele, Vegetation Management
Supervisor

Patricia E. Sierra, Management Assistant

Anette Boulware, Program Analyst II

DRAFT

City Attorney

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OAKLAND CITY COUNCIL
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RESOLUTION No. _____ C.M.S.

RESOLUTION: 1) WAIVING THE ADVERTISING AND THE FIXED, SEALED BID, PRICE-BASED BID PROCESS; AND 2) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ECOSYSTEMS CONCEPTS, INC. (ECI), TO PROVIDE GOAT GRAZING SERVICES IN THE CITY OF OAKLAND FOR A TWO (2) YEAR AND SIX (6) MONTH PERIOD BEGINNING JULY 1, 2015 THROUGH DECEMBER 31, 2017, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED SIX HUNDRED SEVENTY-FIVE THOUSAND, FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$675,575.00) FOR THE ENTIRE TWO YEAR (2) AND SIX MONTH (6) PERIOD.

WHEREAS, in 2010, as authorized by Resolution No. 82798 C.M.S, the Oakland Fire Department (OFD) entered into a Specialized Service Agreement with EcoSystems Concepts, Inc. (ECI) for fire prevention services in the manner of goat grazing; with an expiration date of June 30, 2015; and

WHEREAS, grazing contracts for the purpose of improving public lands are considered public works projects and are usually subject to award based on lowest bid; and

WHEREAS, Oakland Municipal Code Section 2.04.050.I.5 authorizes the City Council to waive advertising of the fixed, sealed bid with award to the lowest bidder process upon a finding that it is in the best interest of the City to do so; and

WHEREAS, Fire Department staff has researched the market and determined that there is only one qualified vendor in the area that performs goat grazing services and meets the City of Oakland's scope of minimum requirements, and wishes to dispense with advertising because that process does not suit this service; and

WHEREAS, staff does not believe it is in the best interests of the City to award this contract solely based on who is the lowest responsive bidder. Due to the complexity of managing the effective and proper implementation of the vegetation management program that meets fuel reduction needs and ensures the City of Oakland is in compliance with various federal and state environmental, endangered/protected species, health and safety requirements, and based on past discussions with other Bay Area agencies that employ goat grazing vendors to manage vegetation, staff recommends that it is in the best interests of the City to waive the advertising and bidding requirements and instead make a determination of a qualified vendor based on the formal RFP/Q process; and

WHEREAS, OFD began to identify funding for future goat grazing services and seek out qualified vendors who provide continued goat grazing services and conducted a formal request for proposal process. Therefore on February 15, 2015, a Request for Qualifications (RFQ) was published in multiple newspapers: Oakland Tribune, Oakland Post, San Francisco Chronicle and the Sacramento Bee, requesting a response. Direct contact was made to inform vendors of the RFQ publishing, as well as the posting of the RFQ on the City of Oakland's website. After review of the two (2) vendors' responding proposals to the RFQ, one vendor, EcoSystems Concepts, Inc., was identified as meeting all the qualification criteria, and providing all relative documentation of the RFQ; and

WHEREAS, pursuant to Oakland City Charter Section 902(e) and Oakland Municipal Code section 2.04.020.E, the City Administrator has determined that services to be provided under the proposed contract are of a professional, scientific or technical and temporary nature, and shall not result in the loss of employment of salary by any person having permanent status in the competitive service; and

WHEREAS, the OFD is seeking Council approval of a contract with EcoSystems Concepts, Inc. for the initial contract period of July 1, 2015 through December 31, 2017; and

WHEREAS, approval of this contract will ensure goat grazing occurs in the Oakland Hills high fire severity zones using the Wildfire Prevention Assessment District (WPAD) identified funding; and

WHEREAS, in 2010, the Oakland Fire Department entered into a four (4) year contract with ECI to provide goat grazing services in the WPAD area for the purpose of reducing hazardous vegetation fuel loads throughout open space areas of City of Oakland owned property; and

WHEREAS, the previous goat grazing contract expired in the middle of the goat grazing season; a new contract with ECI is essential to cover the period beginning July 1, 2015, and extending through December 31, 2017, thereby ensuring the contract does not expire in the height of the season. A longer contract period allows added flexibility to accommodate fluctuations in weather and fuel loads; and

WHEREAS, goat grazing is the most cost effective way to clear hazardous fuel loads in the hills area, as determined by an internal statistical analysis based on historical figures from past contracts, using both hand crews/machinery vs. goat grazing; now, therefore, be it

RESOLVED, That pursuant to Oakland Municipal Code Section 2.01.050.I.5 and based on the reasons discussed in the agenda report accompanying this resolution and above, the City Council finds and determines that it is in the best interests of the City to waive advertising and bidding and the fixed sealed bid, price-based bid process for the proposed goat grazing contract from July 1, 2015 to December 31, 2017 in an amount of six hundred seventy-five thousand, five hundred seventy-five dollars (\$675,575.00), and so waives the requirements; and be it

FURTHER RESOLVED, that the City Administrator or her designee enter into a professional services contract with EcoSystems Concepts, Inc., for the purpose of goat grazing services for a two (2) year and six (6) month contract period of July 1, 2015 to December 31, 2017, without exceeding the total contract amount of six hundred seventy-five thousand, five hundred seventy-five dollars (\$675,575.00), for approval; and be it

FURTHER RESOLVED: funding for the proposed professional services contract shall be drawn from Wildfire Prevention Assessment District (WPAD) Fund (2321), Fire Marshal's Office, Organization (20311), Services: Contract, Account (54911), Fire Prevention Bureau, Program (PS23); and be it

FURTHER RESOLVED: that the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement; and be it

FURTHER RESOLVED: that the City Attorney shall review and approve said agreement as to form and legality and copies of said agreement shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID and PRESIDENT GIBSON
MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California