

2017 MAY 17 PM 3: 13

Approved as to Form and Legality:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86760 C.M.S.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) WAIVE THE ADVERTISING, COMPETITIVE BID, AND REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS; AND 2) AMEND THE CONTRACT WITH URBAN STRATEGIES COUNCIL TO ACT AS THE FISCAL AGENT FOR THE WEST OAKLAND JOB RESOURCE CENTER TO INCREASE THE CONTRACT AMOUNT FROM \$212,936 TO \$240,782 (PREVIOUSLY AMENDED BY RESOLUTIONS 85251 C.M.S., 85661 C.M.S., AND 86240 C.M.S.) AND TO EXTEND THE TERMINATION DATE TO DECEMBER 31, 2017**

**WHEREAS**, in July 2012, the City Council approved Ordinance No.13131 C.M.S. which authorized a Lease Development and Disposition Agreement ("LDDA") for the Oakland Army Base Development Project which included a set of Community Jobs Policies, a Cooperation Agreement between the City and community groups, and a Billboard Franchise and Lease Agreement; and

**WHEREAS**, the Community Jobs Policies set targets for the employment of Oakland residents and disadvantaged workers on the both the construction and operations phases of the Oakland Army Base Development Project; and

**WHEREAS**, the Cooperation Agreement specified that the City will, with the assistance of community partners, take steps to establish a West Oakland Job Resource Center ("WOJRC") to assist job-seekers, employers and contractors in meeting the hiring targets of the Community Jobs Policies; and

**WHEREAS**, in December 2012, Council approved Resolution 84164 C.M.S. which approved in concept the use of billboard revenue to support the WOJRC and other community benefits-related uses, including staff; and

**WHEREAS**, billboards are currently permitted and revenue is being realized; and

**WHEREAS**, the City Proposed Policy Budget for FY 2017-19 includes an allocation of \$355,237 per fiscal year for the WOJRC; and

**WHEREAS**, Resolution No. 85251 C.M.S., adopted on November 5, 2014, authorized an amendment to an existing \$50,000 contract with Urban Strategies Council to act as fiscal agent and employer of record for the WOJRC through November 20, 2014, to increase the contract amount to \$105,000 and extend the contract date to June 30, 2015; and

**WHEREAS**, Resolution 85661 C.M.S., adopted on June 17, 2015, authorized an amendment to the contract with Urban Strategies Council to increase the contract amount to \$155,000 and to extend the contract date to June 30, 2016; and

**WHEREAS**, Resolution 86240 C.M.S., adopted on June 21, 2016, authorized an amendment to the contract with Urban Strategies Council to increase the contract amount to \$212,936 and to extend the contract date to June 30, 2017; and

**WHEREAS**, the Urban Strategies Council has performed well and assisted the WOJRC with administrative and IT support; and

**WHEREAS**, City staff and Urban Strategies Council have established a nonprofit organization to run the WOJRC and are in the process of applying for necessary federal and state tax exemptions and preparing the documents to establish the relationship between the City and the contemplated tax-exempt nonprofit WOJRC, for consideration by the City Council at a future meeting; and

**WHEREAS**, Oakland Municipal Code Section 2.04.051.B authorizes the City Council to dispense with the City's standard request for proposals/qualifications process for award of professional services contracts upon a finding that it is in the City's best interest to do so; now therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator to negotiate and enter into an amendment to the contract with the Urban Strategies Council to act as fiscal agent and employer of record for the WOJRC to increase the contract amount from \$212,936 to \$240,782, and to extend the contract termination date until December 31, 2017; and be it

**FURTHER RESOLVED:** That the City Council hereby finds that a waiver of the advertising, bidding and request for proposals/qualifications process is in the best interests of the City in order to prevent a break in service to the WOJRC while the City and the WOJRC complete the transitioning of the WOJRC into a 501(c)(3) nonprofit organization and for the reasons set forth herein and in the staff report accompanying this Resolution, and hereby waives this requirement; and be it

**FURTHER RESOLVED:** That funding for this contract has been requested in the City's FY 2017-2019 Proposed Policy Budget, with an allocation of \$355,237 per fiscal year in Oakland Reuse Authority Lease and Utility Program Fund (5671); and be it

**FURTHER RESOLVED:** That the City Administrator and his/her designees are hereby authorized to take whatever action is necessary with respect to said contract consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, ~~JUN 06 2017~~

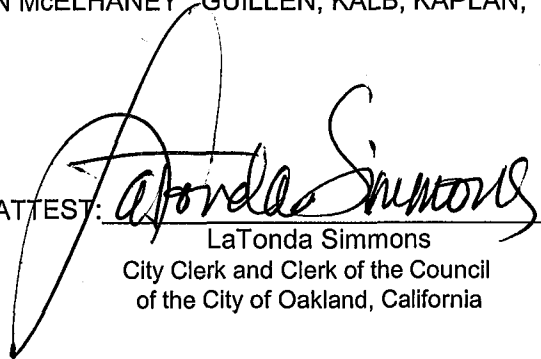
**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON McELHANEY, GUILLEN, KALB, KAPLAN,  
and PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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