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OFFICE OF THE CITY CLERK
OAKLAND
2018 JUN 14 PM 5:26

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Deborah Lusk Barnes
Contract & Compliance
Director

SUBJECT: Centro Legal de la Raza Measure FF
Support Services Contract

DATE: June 11, 2018

City Administrator Approval

Date:

6/14/18

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Professional Services Agreement To Centro Legal De La Raza In An Amount Not To Exceed \$480,000 To Provide Minimum Wage Education, Outreach And Enforcement Support Services For Measure FF, Oakland's Minimum Wage Law.

EXECUTIVE SUMMARY

Staff conducted a competitive Request for Proposals (RFP) process and one proposal was submitted by Centro Legal de la Raza. The proposal satisfied the minimum requirements. Staff recommends that the City Council award a contract to Centro Legal de la Raza so that they may continue to provide Measure FF Support Services to Oakland residents.

Centro Legal de la Raza was the successful proposer to the previous Measure FF RFP in 2016. A contract was awarded to this non-profit and service delivery has been more than satisfactory. The performance of the prime and sub-providers satisfied the conditions of the agreement. Centro Legal's Team includes an ethnic and culturally diverse group of community not-for-profit organizations.

BACKGROUND / LEGISLATIVE HISTORY

On November 4, 2014, the voters overwhelmingly (82%) approved Measure FF, which, in part, raised the minimum wage in Oakland to twelve dollars and twenty-five cents (\$12.25), effective March 2, 2015 (also referred to as the Local Minimum Wage ("LMW") law).

On October 9, 2015, the City Council directed that \$240,000 be appropriated for outreach, education and enforcement support of the Minimum Wage & Sick Leave law. These funds were used to provide support services for community outreach; workers training on labor rights; enforcement support under the supervision of the Minimum Wage Enforcement Officer;

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counseling & referral services, approved outreach materials; approved publicity for success stories under the supervision of the City of Oakland Public Information Office; and reporting monitoring and evaluation of deliverables.

In 2017, during the budget process the City Council directed that an additional \$480,000 be appropriated for the same purpose. A second RFP was released in 2018, with the same scope of services as the previous contract. The only proposal submitted was that of Centro Legal de la Raza, and said proposal met the minimum requirements.

The contractor will provide the following services:

1. Community Outreach: The contractor will conduct a community outreach program to Oakland low-wage workers about the City of Oakland's Measure FF program. This outreach may include activities such as participation in community events, street fairs, meetings of neighborhood and community groups, and door-to-door outreach.

While the outreach program(s) may focus upon specific target communities, it will be citywide in scope, such that neighborhoods which have historically been underserved are afforded adequate services as well.

2. Worker and Employee Training on Labor Rights: The contractor will conduct regular workshops and training designed to educate low-wage Oakland workers on their rights under Measure FF.

3. Enforcement Support: Under the direction of the City of Oakland's Minimum Wage Enforcement Officer, the non-profit entity(s) will be assigned tasks by the Officer designed to support enforcement efforts and may include but may not be limited to review and logging of payroll records and calendars, intake interviews, site visits to businesses to insure proper postings of Measure FF materials, organizing group meetings with claimants and as a neutral party, assisting businesses in understanding the responsibilities of Measure FF. Non-profit entities will not have enforcement authority on behalf of the City.

4. Counseling & Referral Services: The contractor will provide regular counseling and/or referral services for workers, evaluate the validity of potential claims, and assist workers in filing clear, concise, thorough claims with the City.

5. Approved Outreach Materials: Under the supervision of the City of Oakland's Public Information Officer, the contractor will assist the City in updating and distributing multi-lingual and culturally competent educational outreach materials, such as brochures, flyers, posters, and work calendars.

6. Approved Publicity for Success Stories: Under the supervision of a City of Oakland Public Information Officer, the contractor will develop a media outreach strategy to gain visibility for workers who have reported wage theft and successfully recovered back wages and have affirmatively consented to tell their story publicly. By showcasing the courage of workers who came forward to report violations, the media campaign will

encourage other workers to report violations while also reminding employers throughout the Oakland geographic region of the consequences of non-compliance.

7. Monitoring and evaluation of the minimum wage education, outreach and enforcement support services the contractor will provide quarterly reports to Contacts and Compliance summarizing progress towards the contract's deliverables and the contractor will meet regularly with designated City staff to review the contractor's activities and plans.

ANALYSIS AND POLICY ALTERNATIVES

Staff recommends that the City Council adopt a resolution to award a contract to Centro Legal de la Raza for Measure FF support services. The RFP process followed the City's standard operational procedures. The team will be representative of the City's diversity and inclusion of local and small local business enterprises.

Centro Legal de la Raza will serve as the lead consultant and will team with a comprehensive list of non-profits who specialize in labor issues. Centro Legal de la Raza was founded in 1969. They are a legal service agency focused on strengthening low-income and immigrant individuals and families by providing culturally competent legal representation, education, and advocacy.

The Bay Area Black Worker Center (BABWC) is dedicated to improving the quality of life in the Black community by organizing around workplace and non-workplace issues facing Black workers. BABWC will conduct outreach and provide information and referrals to workers.

Street Level Health Project (SLHP) has successfully served the specialized needs of day laborers and recently arrived immigrants for the past 14 years. SLHP will conduct worker outreach and provide information and referrals.

East Bay Alliance for a Sustainable Economy (EBASE)'s mission is to build a just economy in the East Bay based on good jobs and healthy communities. EBASE will conduct outreach and provide information and referrals, and support the team's media efforts.

Restaurant Opportunities Center of the Bay (ROC) mobilizes restaurant workers, employers, and consumers to seek better wages and working conditions for the nation's largest and lowest-paid workforce. ROC-The Bay will conduct outreach and provide information and referral to both workers and small business owners.

Chinese Progressive Association (CPA) has served the Chinese community, working to improve the health, lives, and working conditions of low-wage workers, immigrant families and youth. CPA will conduct worker outreach and provide information and referrals.

Lawyers' Committee for Civil Rights – Legal Services for Entrepreneurs (LSE) provides free transactional legal services to low-income individuals who want to start or develop businesses and businesses committed to investing in economically distressed communities, including hiring people with arrest and conviction records, and “mom and pop” shops located in areas where gentrification is a force for displacement. LSE will lead the small business education component of this project, providing training materials and workshops for small business owners.

The specific purpose of the agreement will be to perform Measure FF education, outreach and enforcement support services. It is the intent of the City Administrator's Office, Division of Contracts and Compliance through this contract to further the understanding of the specifics of Measure FF that apply in the geographic region of the City of Oakland and to afford access to culturally competent, community-based support in bringing complaints to the City or referrals to other appropriate authorities responsible for enforcing labor laws.

The prime consultant, through proactive, targeted programs of worker education, outreach and enforcement support, will assist Contracts and Compliance in addressing the lack of knowledge, insufficient resources, and feelings of vulnerability and fear of retaliation that many workers currently face. In addition, the Consultant will conduct employment workshops, counseling and referral services, media outreach, community outreach and education particularly in low income and immigrant communities with limited English proficiency. Staff will ensure that all City contracting policies will be adhered to, and that the team will be representative of the City's diversity and inclusion of small and small local business enterprises.

FISCAL IMPACT

Based on the above description of the required work, adoption of the proposed resolution will authorize the City Administrator to execute a professional services contract for a two-year period, not to exceed \$480,000. Funding for this contract is available in the General Purpose Fund (1010), City-Wide Activities Org (90591), Contract Contingencies Account (54011), Measure FF Education Project (1000123), Citywide Activities Program (IP50).

PUBLIC OUTREACH / INTEREST

During the initial kick-off of the newly adopted Measure FF, Contracts and Compliance, City Attorney, and Business Assistance Center worked closely with stakeholders to implement Measure FF. Outreach activities included:

- Development of a team of internal staff to determine best course for implementing Measure FF.
- In partnership with the Business Assistance Center holding meetings throughout the City with various Chambers, restaurants, and other businesses to provide information and answer questions on the new minimum wage law.
- Sending notices to Oakland Business Tax License database.
- Establishment of dedicated phone line and email account to receive inquiries.

- Development of Notices/Posters for businesses to use to meet the "Notice to Employees" requirement.
- Launch of a separate web page - www.oaklandnet.com/minimum wage.
- Meeting with City of San Jose and City and County of San Francisco staff to glean best practices and insight into Minimum Wage Laws.
- Frequently Asked Questions Issued by the Office of the City Attorney.
- Employment of a "Block-by-Block" strategy, where approximately 1850 businesses in Chinatown; approximately 2304 businesses in Fruitvale were visited by staff.
- Meetings with Lift Oakland Coalition members on draft Administrative Regulations.
- Development of an outreach campaign to inform Oakland employees.
- Development of a referral and resource guide to provide to businesses.
- Interpretive regulations developed by City Attorney's Office.

COORDINATION

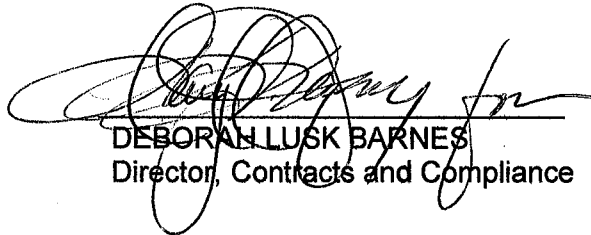
The implementation of Measure FF was reviewed and coordinated with several City of Oakland departments, including: Contracts and Compliance, Office of the City Attorney, Business Assistance Center, City Administrator's Office (Public Information), Business Tax, and Economic Development. Outreach meetings were conducted in each City Council District to inform the Oakland community, and to acquire input and feedback.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That the City Council Adopt A Resolution Authorizing The City Administrator To Award A Professional Services Agreement To Centro Legal De La Raza In An Amount Not To Exceed \$480,000 To Provide Minimum Wage Education, Outreach And Enforcement Support Services For Measure FF, Oakland's Minimum Wage Law.

For questions regarding this report, please contact Deborah Lusk Barnes, Director, at (510) 238-6270.

Respectfully submitted,



DEBORAH LUSK BARNES
Director, Contracts and Compliance

Reviewed by:

Mary M. Mayberry, Administrative Services
Manager, Contracts and Compliance

Prepared by:

Ron San Miguel, Senior Contract Compliance
Officer, Contracts and Compliance

DRAFT

City Attorney

FILED
OFFICE OF THE CLERK
OAKLAND**OAKLAND CITY COUNCIL**

2018 JUN 14 PM 5:26 RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A PROFESSIONAL SERVICES AGREEMENT TO CENTRO LEGAL DE LA RAZA IN AN AMOUNT NOT TO EXCEED \$480,000 TO PROVIDE MINIMUM WAGE EDUCATION, OUTREACH AND ENFORCEMENT SUPPORT SERVICES FOR MEASURE FF, OAKLAND'S MINIMUM WAGE LAW

WHEREAS, Section 5.09 of the Charter of the City of Oakland requires employers in the geographic boundaries of Oakland to pay minimum wages and provide sick leave and other employment benefits for workers ; and

WHEREAS, in January 2018, the City issued and advertised and issued a Request for Proposal (RFP) for Minimum Wage Education, Outreach and Enforcement Support Services by Oakland Based Non-Profit Entities for Measure FF for two Fiscal Years ending June 30, 2019; and

WHEREAS, in 2018 he City received and opened one proposal in response to the RFP for Minimum Wage Education, Outreach and Enforcement Support Services by Oakland Based Non-Profit Entities from Centro Legal de la Raza; and

WHEREAS, Centro Legal de la Raza and its team has extensive demonstrated experience in employment workshops, counseling and referral services, media outreach, community outreach and education particularly in low income and immigrant communities with limited English proficiency; and

WHEREAS, the City Administrator recommends that the contract for said services be awarded to Centro Legal de la Raza; and be it

WHEREAS, funds are available in the City's existing fiscal year 2017-19 Adopted Policy Budget in the amount of \$480,000 from General Purpose Fund (1010); and

WHEREAS, the City Administrator has determined that the service is professional and temporary in nature and shall not result in the loss of salary or employment by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Administrator is hereby authorized to award a two year contract to Centro Legal de la Raza, a local Oakland Not For Profit organization, in an amount not to exceed \$480,000.00 and be it

FURTHER RESOLVED: That, based on the representation of the City Administrator above and in the report accompanying this resolution, the City Council finds that the service is professional and temporary in nature and shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

FURTHER RESOLVED: That the contract shall be approved for form and legality by the City Attorney and copies of said agreement shall be filed with City Clerk's Office;

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, GIBSON MCELHANEY,
AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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