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OFFICE OF THE CITY CLERK
OAKLAND

2019 FEB 28 PM 1:10

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: William Gilchrist
Director, PBD

Andrew Peterson
Director, ITD

SUBJECT: SUPPLEMENTAL – Professional
Services Agreement with FUSE Corps

DATE: February 25, 2019

City Administrator Approval

Date:

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee To:

- 1) Negotiate And Execute A Contract Between FUSE Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow In The Planning And Building Department For A Full 12-Month Contract Term;
- 2) Negotiate And Execute A Contract Between FUSE Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow In The Information Technology Department For A Full 12-Month Contract Term; And
- 3) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For Above.

REASON FOR SUPPLEMENTAL

The original resolution was heard on February 19, 2019 at the Community & Economic Development Committee (CED). The Chair of the CED requested that this item be held in Committee and re-presented at March 5, 2019 meeting for further discussion. The committee requested that staff provide additional information as outlined below.

1. *Is there City personnel that can do these specified jobs?*

The expertise and experience may exist in varying degrees at the Director and Assistant/Deputy Director levels to undertake parts of these scopes of work; however, there are specific management consultant skills and capacity that FUSE provides that the City would need to outsource in any case even if City staff were to act as lead to perform the scope of services needed to complete these assignments.

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2. *Are there other alternative/partnerships available?*

Since the founding of FUSE Corps as a 501(c)(3) nonprofit organization, the organization has invested considerable time and financial resources in the development of proprietary approaches to recruiting, training, coaching and supporting the Fellows who participate in their programs. Much of FUSE Corps' practices are trademarked and exclusive to the organization. FUSE Corps has also developed a range of innovative approaches representing substantive intellectual property that is regarded as a key corporate asset and maintained by the organization's Board of Directors.

As such, FUSE Corps Executive Fellowship is a sole source service distributed exclusively by FUSE Corps. No division of FUSE Corps, nor any other company, makes a similar or competing product. They recruit a unique talent pool of mid-career executives, generally from the private sector, to work with local governments to address the most pressing issues facing urban communities. This service must be purchased directly by local government partners from FUSE Corps.

A partnership with FUSE Corps is designed to assign an experienced professional to research, design, build and implement a solution to a social challenge. Projects of this nature are not definable through typical government purchasing standards. Furthermore, they cannot be found through consulting services or temporary staffing agencies, as their final deliverables and products are discovered through the duration of the engagement.

FUSE Corps provides a one-of-a-kind resource to local governments to tackle and implement innovative solutions through providing access to resources not acquired by any other means. The skills, talents, and experience of a FUSE Corps Executive Fellow provide local governments with a distinct and exclusive combination of abilities that is only available through FUSE Corps. There is no other like service available for purchase that would serve the same purpose or function, and there is only one price for FUSE Corps based on the unique talent they attract.

3. *Is it possible to bifurcate the two positions listed from the master services agreement?*

Yes, the revised proposed resolution does bifurcate the two positions.

4. *Are these fellow positions related to any vacancies in the departments?*

No, the fellows are not related to current vacancies in the departments.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee To:

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- 2) Negotiate And Execute A Contract Between FUSE Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow In The Information Technology Department For A Full 12-Month Contract Term; And
- 3) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For Above.

For questions regarding this report, please contact Katie M. Dignan, Assistant Director, at (510) 238-3663 or Janet Salisbury, IT Project Manager, at (510) 238-6545.

Respectfully submitted,



WILLIAM A. GILCHRIST
Director
Planning and Building Department



ANDREW PETERSON
Chief Information Officer
Information Technology Department

Prepared by:
Katie M. Dignan
Assistant Director, Planning and Building
Department

Janet Salisbury
Project Manager II (IT Finance & Contracts)
Information Technology Department

Item: _____
CED Committee
March 5, 2019

OAKLAND CITY COUNCIL

2019 FEB 28 PM 1:10

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO:

- 1) NEGOTIATE AND EXECUTE A CONTRACT BETWEEN FUSE CORPS AND THE CITY IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000) TO FUND ONE EXECUTIVE-LEVEL FELLOW FOR THE PLANNING AND BUILDING DEPARTMENT FOR A FULL 12-MONTH CONTRACT TERM;
- 2) NEGOTIATE AND EXECUTE A CONTRACT BETWEEN FUSE CORPS AND THE CITY IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000) TO FUND ONE EXECUTIVE-LEVEL FELLOW FOR THE INFORMATION TECHNOLOGY DEPARTMENT FOR A FULL 12-MONTH CONTRACT TERM; AND
- 3) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS REQUIREMENT FOR LISTED AGREEMENTS
 - 1) ~~NEGOTIATE AND EXECUTE A CITYWIDE AGREEMENT WITH FUSE CORPS FOR ON-CALL PROFESSIONAL SERVICES FROM FUSE FELLOWS ON AN AS-NEEDED BASIS IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000) FOR THE PERIOD OF APRIL 1, 2019 THROUGH JUNE 30, 2022 CONTINGENT ON FUNDING AVAILABILITY; AND~~
 - 2) ~~WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS REQUIREMENT FOR ABOVE.~~

WHEREAS, FUSE Corps is a nonprofit organization that partners with local government to help urban communities thrive; and

WHEREAS, FUSE Corps specializes in recruiting, training and placing a highly-experienced executive-level professional in government agencies to deliver on high impact projects over 12-month terms; and

WHEREAS, the Planning and Building Department (PBD) is requesting to execute a contract with FUSE Corps to enhance service delivery and recommend improvements to the department's code enforcement process; and

WHEREAS, PBD staff has identified available funds in the amount of \$150,000 to fund one executive-level fellow for a full 12-month contract term; and

WHEREAS, the Information Technology Department (ITD) is requesting to partner with FUSE Corps to develop a 5-Year IT Strategic Plan, which would provide a holistic and strategic foundation for the City's information and communications technology services and investments; and

on funding availability, and be it

~~FURTHER RESOLVED, that the funding will be made available from existing appropriations from departments seeking temporary professional services from FUSE Fellows; and be it~~

FURTHER RESOLVED, that the City Administrator or her designee is hereby authorized to accept and appropriate, as needed, for the same for the purposes described above and consistent with the Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNATO-BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO and PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION –

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

2019 FEB 28 PM 1:10

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Introduced by Councilmember _____

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 - ~~2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS REQUIREMENT FOR ABOVE.~~

WHEREAS, FUSE Corps is a nonprofit organization that partners with local government to help urban communities thrive; and

WHEREAS, FUSE Corps specializes in recruiting, training and placing a highly-experienced executive-level professional in government agencies to deliver on high impact projects over 12-month terms; and

WHEREAS, the Planning and Building Department (PBD) is requesting to execute a contract with FUSE Corps to enhance service delivery and recommend improvements to the department's code enforcement process; and

WHEREAS, PBD staff has identified available funds in the amount of \$150,000 to fund one executive-level fellow for a full 12-month contract term; and

WHEREAS, the Information Technology Department (ITD) is requesting to partner with FUSE Corps to develop a 5-Year IT Strategic Plan, which would provide a holistic and strategic foundation for the City's information and communications technology services and investments; and

WHEREAS, ITD has identified available funds in the amount of \$150,000, to fund one executive-level fellow for a full 12-month contract term; and

~~WHEREAS, the City passed Resolution No. 87305 in July 2018, which authorized FUSE Fellows to aide the City in two strategic programs: (1) within Planning and Building Department (PBD) to assess and improve current permit application processes, and (2) within the Economic & Workforce Development Department (EWDD) to ensure inclusive economic development in East Oakland and specifically along the International Boulevard Corridor through leverage of public and private investments; and~~

~~WHEREAS, the above projects are already underway and resulting in improvements; and~~

~~WHEREAS, the City would benefit further from implementing long-term, cohesive strategies possible through a FUSE Fellow; and~~

WHEREAS, Oakland Municipal Code 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 \$50,000 and Oakland Municipal Code section 2.04.051.B allows 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, City staff recommends waiving the RFP/Q requirements for these contracts because of the unique opportunity presented for a uniquethrough partnership that is proposed to enhance department services and promote community engagement; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are professional, and are temporary in nature; and

WHEREAS, the City Council finds that the agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED, that the City Council authorize the City Administrator, or designee, to execute Professional Services Agreement Contracts with FUSE Corps; and be it

FURTHER RESOLVED, the total amount of the Agreement for each Department shall be for a not-to exceed amount of \$150,000 each; and be it

FURTHER RESOLVED, that the said Agreements with FUSE Corps shall be executed contingent upon available funding; and be it

FURTHER RESOLVED, that PBD has identified available funding in the amount of \$150,000 in Development Services Fund (2415), Administration Organization (84111), Contract Contingency Account (54011), Contingency Reserve Project (1000904), Administration Program (IP49); and be it

FURTHER RESOLVED, that ITD has identified available funding in the amount of \$150,000 in Information Technology Fund (4600), Administrative Services Organization (46111) Services: Miscellaneous Contract Account (54919); and be it

RESOLVED, that the City Council authorize the City Administrator, or designee, to negotiate and execute a Citywide Agreement with FUSE Corps for on-call professional services from FUSE Fellows on an as-needed basis in an amount not to exceed two million two hundred fifty

~~thousand dollars (\$2,250,000) for the period of April 1, 2019 through June 30, 2022 contingent on funding availability; and be it~~

~~**FURTHER RESOLVED**, that the funding will be made available from existing appropriations from departments seeking temporary professional services from FUSE Fellows; and be it~~

FURTHER RESOLVED, that the City Administrator or her designee is hereby authorized to accept and appropriate, as needed, for the same for the purposes described above and consistent with the Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNATO-BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO and PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION –

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