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2019 MAY 16 PM 5:42

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Jason Mitchell  
Director, Public Works

**SUBJECT:** Civicorps Schools Contract

**DATE:** May 6, 2019

City Administrator Approval

Date:

5/19/19

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing 1) The City Administrator Or Designee To Enter Into A Three-Year Agreement With The Possibility of Two (2) One Year Extensions At The City's Option With Civicorps Schools, 2) Appropriate The Amount Of Three Hundred Thousand Dollars (\$300,000.00) To Assist With Used Oil Recycling Activities, Perform Bicycle Locker And Sign Cleaning, And Provide Interns To Assist The City's Recycling Hotline And Community Outreach, And 3) Waive The Advertising And The Competitive Request For Proposal/Qualification Selection Requirements.**

## EXECUTIVE SUMMARY

The City has contracted with Civicorps Schools for recycling and related services since 1991, and the current agreement will expire on July 31, 2019. As the only conservation corps in Oakland, Civicorps Schools is uniquely qualified to continue providing the needed services, which include assisting businesses with used oil recycling activities, cleaning of bicycle lockers and signs, and provision of interns who will be trained on customer service skills and recycling information to support the City's Recycling Hotline. This agreement is supported by state grants and includes job training, education, and development programs for local at-risk youth in service learning projects.

Approval of the resolution will authorize the City to enter into an agreement with Civicorps Schools to provide used motor oil recycling activities, bicycle lockers and sign maintenance, interns to support the City Recycling Hotline and conduct community outreach, and other additional related work that will be assigned on a task order basis.

## BACKGROUND/LEGISLATIVE HISTORY

Since 1991, Oakland Public Works (OPW) has executed a series of agreements with Civicorps Schools to provide a variety of services, with authorization from the City Council to waive the competitive bid requirements. Civicorps Schools has provided Recycling Hotline interns since

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1993, used motor oil recycling support services since 1997, and bicycle locker cleaning services since 2007. Additionally, the program has developed efficient and cost-effective systems to continue providing these services. The City's existing Agreement with Civicorps Schools, enacted by Resolution No. 86239 C.M.S., will expire on July 30, 2019.

## **ANALYSIS AND POLICY ALTERNATIVES**

The City is seeking to enter into an agreement with Civicorps Schools to assist with used motor oil recycling activities, cleaning bicycle lockers and signs, and providing interns to support the City's Recycling Hotline and community outreach. Civicorps Schools is a local, not-for-profit organization whose mission is to provide job training, education, and youth development programs by engaging local at-risk youth in service learning projects. The California Department of Resources Recycling and Recovery (CalRecycle) provides training and grant funding to Civicorps Schools for various activities, including funding to train and place youth with local governmental agencies to support recycling activities. As the only conservation corps in Oakland, Civicorps Schools is uniquely qualified to provide the services described below.

The proposed Agreement will require Civicorps Schools to: (1) support used motor oil recycling activities; (2) perform bicycle locker and sign cleaning services; (3) provide interns to support the City's Recycling Hotline by providing information and referrals, and assisting with Recycling Program outreach; and (4) additional related work to be assigned on a task order basis. The proposed agreement includes performance standards and liquidated damages in the event of non-performance. City staff will monitor and evaluate Civicorps Schools' work under this agreement to ensure that it conforms to the performance standards detailed in the agreement, and that it continues to support the City's program goals.

### *Used Motor Oil Recycling Assistance*

Civicorps Schools will assemble and deliver oil recycling kits to participating retail outlets. The kits are made available to Oakland residents free of charge at stores where motor oil is sold. This activity is funded by annual CalRecycle grants. Additional activities that support Oakland's oil recycling efforts may include conducting annual monitoring of retail outlets certified by CalRecycle to accept and recycle used motor oil and filters.

### *Bicycle Locker and Sign Cleaning*

In support of the City's Bicycle and Pedestrian Program, Civicorps Schools will continue providing cleaning of accumulated debris, liquids, and graffiti from bicycle storage lockers adjacent to the 19<sup>th</sup> Street and 12<sup>th</sup> Street Bay Area Rapid Transit (BART) stations, at future locker locations, and from bicycle signs at locations designated by the City. These services are funded by Measure B: Bicycle/Pedestrian Pass Thru Fund.

### *Recycling Hotline Internship*

Civicorps Schools will provide interns who will be trained to support the City's Recycling Hotline and conduct community outreach. The Recycling Hotline provides training in customer service and the recycling industry which interns use to secure permanent full-time work after the internship. Interns learn to respond to inquiries from residents about compost, recycling and trash collection services, and calls regarding other Recycling Program services, including

business recycling technical assistance, construction and demolition recycling, collection services for City facilities and initiating service requests in the Cityworks system. This internship is funded by the Recycling Program Fund.

The Oakland Municipal Code (OMC) Sections 2.04.040 B 5 and 2.04.051 A, require the City to conduct a formal advertising and competitive Request For Qualifications/Proposals (RFQ/RFP) selection process for professional services agreements over \$25,000 and Section 2.04.051 B authorizes the City Council to waive the advertising and competitive RFQ/RFP selection requirement if it finds that it is in the City's best interests to do so.

Staff recommends that it is in the City's best interest for the City Council to waive the advertising and competitive RFQ/RFP process for this contract, because as the only conservation corps in Oakland, Civicorps Schools is uniquely qualified to provide these services, which are supported by state grant funding and includes job training, education and development programs for local at-risk youth in service learning projects.

### **FISCAL IMPACT**

Approval of this resolution will authorize an agreement in an amount not-to-exceed \$300,000 for the three-year period from July 1, 2019 to June 30, 2022.

Funding sources for this agreement, listed below, are subject to City Council approval and adoption of the budget:

- \$5,000 annually from California Integrated Waste Management Board Fund (2154); Environmental Services: Recycling Organization (30682); Services: Miscellaneous Contract Account (54919); OPP6 Used Oil; Recycling (1001040); and Recycling and Solid Waste (SC17) to procure, store, and deliver on-demand to retail outlets used oil recycling kits. Funding is from California Department of Resources Recycling and Recovery (CalRecycle) Oil Payment Program (OPP) conservatively \$100,000 per year.
- \$5,000 annually from California Measure B: Bicycle/Pedestrian Pass Thru Funds (2212); Engineer Design: IPPD Capital Improvement Projects (92260); Services: Miscellaneous Contract Account (54919); B&P Bicycle Facilities Design-Implementation (1000707); and Transportation Planning and Funding (IN17) for bicycle locker and sign cleaning services. At the end of fiscal year (FY) 2018-19, funds will be carried forward for ongoing bicycle locker and sign cleaning expenses.
- \$90,000 annually from Recycling Program Fund (1710); Environmental Services: Recycling Organization (30682); Services: Miscellaneous Contract Account (54919); Non Residential Recycling (1001673); and Recycling and Solid Waste (SC17) for interns to assist the City's Recycling Hotline and provide information and referrals, conduct outreach and for as-needed assignments authorized by the City. Such assignments may include, but are not limited to, assistance with recycling outreach to multi-family property managers and tenants, and distributing informational materials to Oakland businesses and residents.

### **PUBLIC OUTREACH/INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website.

### **COORDINATION**

Staff has coordinated with the Office of the City Attorney and Budget Bureau for this report.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Civicorps Schools' contract performance has been, and continues to be, satisfactory. Measurements used to gauge and ensure satisfactory performance will continue through established contract management activities, which include monthly meetings between lead City and Civicorps Schools staff, review and verification of monthly invoices and reports, field monitoring, performance incentives and liquidated damages. Staff has completed and filed the Schedule L, Consultant Performance Evaluation Form (see **Attachment A**).

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The Agreement with Civicorps Schools will provide green collar jobs and job training for Oakland youth. The activities encourage resource conservation and community stewardship.

**Environmental:** Execution of an Agreement with Civicorps Schools will help conserve natural resources through recycling. Civicorps Schools' activities related to used motor oil recycling will help prevent pollution and conserve natural resources. By educating the public about used motor oil and oil filter recycling, this program helps the City to meet the public information and participation component of its Countywide National Pollutant Discharge Elimination System Permit, established by the Federal Clean Water Act.

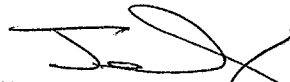
**Social Equity:** By executing an Agreement with Civicorps Schools to provide recycling and related services, the City supports Civicorps Schools' mission to train and educate Oakland's at-risk youth through performing community and environmental stewardship projects.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt a resolution authorizing 1) the City Administrator or designee to enter into a three-year agreement with the possibility of two (2) one year extensions at the City's option with Civicorps schools, 2) appropriate the amount of three hundred thousand dollars (\$300,000.00) to assist with used oil recycling activities, perform bicycle locker and sign cleaning, and provide interns to assist the City's recycling hotline and community outreach, and 3) waive the advertising and the competitive request for proposal/qualification selection requirements.

For questions regarding this report, please contact Wanda Redic, Acting Recycling and Solid Waste Program Supervisor, at (510) 238-6808.

Respectfully submitted,



JASON MITCHELL  
Director, Oakland Public Works

Reviewed by:  
David Ferguson, Assistant Director

Peter Slote, Acting Environmental Services  
Manager

Wanda Redic, Acting Recycling and Solid  
Waste Supervisor

Prepared by:  
Mark Gagliardi, Senior Recycling Specialist

Attachment (1):

Attachment A: Schedule L, Consultant Performance Evaluation Form



**SCHEDULE L  
CITY OF OAKLAND  
PUBLIC WORKS AGENCY  
CONSULTANT PERFORMANCE EVALUATION FORM**

**Consultant Name & Address:** Civicorps Schools, 101 Myrtle Street, Oakland, CA 94607

**Type of Services/Work Provided:** 1) intern support for City Recycling Hotline; 2) grant-funded oil recycling program; and 3) bicycle locker and sign cleaning services

**Project Complexity (Standard or Difficult):** Standard

**Consultant Lead Project Manager:** Brian Hickey

**Project Name:** Civicorps Schools Agreement for recycling and related services

**City Project No:** N/A

**Final Value of Consultant Contract:** actual contract value to-date \$124,976.24

**Duration of Consultant Contract (Start & end dates):** 8/1/2016 – 7/30/2019

**Final Value of Construction Contract:** N/A (this is a professional services contract)

**City Construction Resident Engineer (with phone #)** N/A (this is a professional services contract)

**Date of Evaluation:** 2/11/2019

**City Project Manager/Evaluator (with phone #)** Mark Gagliardi (510) 238-6262

**Reviewed and Approved By (with phone #):** Peter Slote (510) 238-7432

**Ratings Guidelines:**

- **Poor - Work required extensive revisions, included numerous & significant errors; consultant was unable or unwilling to perform consistently, required an inordinate amount of supervision, and/or failed to meet professional standards/project objectives.**
- **Needs to Improve – Performance was marginal; work required more review and included more errors than would normally be anticipated; level of service or expertise below average.**
- **Average – Performance and work were satisfactory; services provided were at least of industry standard; no significant errors or problems; professional service objectives met.**
- **Excellent – Performance was clearly above standard; expectations exceeded; objectives were met with an added level of service and/or with a higher level of professional expertise.**

Consultant Performance Evaluation

**Please rate the Consultant on the following topics by checking the appropriate box:**

<b><u>QUESTIONS</u></b>	<b><u>Poor</u></b>	<b><u>Needs to Improve</u></b>	<b><u>Average</u></b>	<b><u>Excellent</u></b>	<b><u>Not Applicable</u></b>
1. Quality of Design/Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Ability to meet the Project Objectives	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Knowledge, Expertise, and State-of-the Art Technologies	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Innovation of Design/Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Thoroughness of Design/Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Quality Control of Work	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Ability to React and Respond to Problems/Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Ability to Maintain to the Project Schedule and to Time Commitments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Ability to Maintain to the Project Budget	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Accuracy of Cost Estimating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Constructability of the Design/Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Quality of Construction Support Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Accuracy and Timeliness of Billings and other Documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Sufficient and Appropriate Staffing of the Project by the Consultant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Ability to Manage and Coordinate Sub-Consultants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Consultant Performance Evaluation

<u>QUESTIONS</u>	<u>Poor</u>	<u>Needs to Improve</u>	<u>Average</u>	<u>Excellent</u>	<u>Not Applicable</u>
16. Ability and Ease of Communicating with City Staff	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>
17. Ability to Communicate with the Community and to Make Presentations	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>
18. Willingness, Flexibility, and Attitude in Working with the City	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>
19. Ability to Follow City Directives (i.e. Architectural Design Concept, other Requirements, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x
<b>OVERALL RATING</b>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>

Additional Comments (attach additional information, as necessary): ***The Oakland Public Works Department has executed a series of Agreements with Civicops Schools since 1993 to provide a variety of services including providing interns to staff the City's Recycling Hotline. Civicops Schools contract performance has been satisfactory during this period.***

Note: The Project Coordinator/Manager shall complete this evaluation form for each primary consultant within 60 days upon the completion of an individual project or assignment. Interim evaluations shall also be prepared for projects of a long duration (i.e. over one year) or if the consultant's performance merits notification of any deficiencies.

Information is to be submitted to and kept on file by the PWA Contract Administration Division for five (5) years. A copy of the evaluation shall also be provided to the consultant. These forms may be used, in part, as a reference to evaluate the consultant for future City professional services contracts.

Consultants with an overall evaluation of "Poor" or "Needs to Improve" are given an opportunity to 1) appeal the evaluation to the Assistant Director of Public Works, or his designee, and/or 2) append the evaluation with a one-page statement that explains or refutes the City's finding.

To the extent permitted by law, the City shall treat the evaluations as confidential information.



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

2019 MAY 16 PM 5:42

RESOLUTION No. \_\_\_\_\_ C.M.S.

City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A THREE-YEAR AGREEMENT WITH THE POSSIBILITY OF TWO (2) ONE YEAR EXTENSIONS AT THE CITY'S OPTION WITH CIVICORPS SCHOOLS, AND APPROPRIATE THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) TO ASSIST WITH USED OIL RECYCLING ACTIVITIES, PERFORM BICYCLE LOCKER AND SIGN CLEANING, AND PROVIDE INTERNS TO ASSIST THE CITY'S RECYCLING HOTLINE AND COMMUNITY OUTREACH, AND WAIVE THE ADVERTISING AND THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION SELECTION REQUIREMENTS.**

**WHEREAS**, the City desires to enter into an agreement with Civicorps Schools for recycling and related services including: (1) assistance with used motor oil recycling activities; (2) bicycle locker and sign cleaning services; (3) providing interns to assist the City's Recycling Hotline, providing informational referrals and assist with Recycling Program outreach; and (4) additional related work to be assigned on a task order basis.

**WHEREAS**, the activities included in the agreement with Civicorps Schools will be funded by a combination of sources including the Recycling Program Fund 1710, grant from CalRecycle Fund 2154 and the Measure B Bicycle/Pedestrian Pass Thru Fund 2212; and

**WHEREAS**, Oakland Municipal Code ("OMC") Sections 2.04.040 B 5 and 2.04.051 A, respectively, require the City to conduct a formal advertising and competitive Request For Qualifications/Proposals ("RFQ/RFP") selection process for professional services agreements over \$25,000.00; and

**WHEREAS**, OMC Section 2.04.051 B authorizes the City Council to waive the advertising and competitive RFQ/RFP selection requirement if it finds that it is in the City's best interests to do so; and

**WHEREAS**, staff recommends that it is in the City's best interests for the City Council to waive the advertising and competitive RFQ/RFP process for this contract because as the only conservation corps in Oakland, Civicorps Schools is uniquely qualified to provide this group of services, which is supported by state grant funding and includes job training, education, and development programs for local at-risk youth in service learning projects; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, the City Council finds that this agreement 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:** pursuant to OMC Section 2.04.051 B, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising and competitive RFQ/RFP selection requirement of the OMC based on the reasons set forth in this Resolution and the Report accompanying this Resolution; and be it

**FURTHER RESOLVED:** That the City Council hereby awards, and the City Administrator is hereby authorized to enter into a three-year agreement from July 1, 2019 through June 30, 2022 and to appropriate a total amount of three hundred thousand dollars (\$300,000) with Civicorps Schools to provide recycling and related services; and, be it

**FURTHER RESOLVED:** That all expenditures related to this proposed contract shall be allocated in Recycling Fund (1710), Measure B: Bicycle/Pedestrian Pass Thru Funds (2212), and California Integrated Waste Management Board Fun (2154); Environmental Services: Recycling Organization (30682) and Engineer Design: IPPD Capital Improvement Projects (92260); Services: Miscellaneous Contract Account (54919); DP300 Administrative Project (1000010), B&P Bicycle Facilities Design-Impl (1000707), and OPP6 Used Oil; Recycling (1001040); and Recycling and Solid Waste (SC17) and Transportation Planning and Funding (IN17); and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized and empowered to approve any subsequent amendments to or extensions of said agreement, with the exception of those related to an increase in compensation or the allocation of additional funds provided that such amendments or extensions shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That the agreement shall be reviewed and approved by the Office of the City Attorney for form and legality and placed on file in the Office of the City Clerk.

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