


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING (1) THE CITY ADMINISTRATOR OR HIS OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CAUSA JUSTA::JUST CAUSE AND ITS PARTNERS (STREET LEVEL HEALTH AND CENTRO LEGAL DE LA RAZA) TO ADMINISTER THE OAKLAND DAY LABORER PROGRAM FOR FISCAL YEAR 2019-2020 IN AN AMOUNT NOT TO EXCEED \$195,000 WITH A ONE-YEAR OPTION TO RENEW IN AN AMOUNT NOT TO EXCEED \$220,000; AND (2) WAIVING THE FORMAL REQUEST FOR PROPOSALS / QUALIFICATIONS PROCESS FOR THE PROFESSIONAL SERVICES AGREEMENT

WHEREAS, on July 2, 2019, the City Council approved Resolution No. 87759 C.M.S, the City of Oakland's Fiscal Year (FY) 2019-21 Biennial Budget, appropriating certain funds to provide for the expenditures proposed by said budget; and

WHEREAS, the City Council identified \$195,000.00 in funds in FY 2019-2020 and \$220,000 in FY 2020-21 for the Day Laborer Program in the General Purpose Fund (1010), Day Laborer Program (1000167); and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.40 B requires a Request for Proposals/Qualifications process for all professional services contracts of more than \$50,000; and

WHEREAS, Pursuant to OMC Section 2.04.051B, the City Council may waive the Request for Proposals/Qualifications requirements for contracts upon a finding that it is in the best interest of the City to do so; and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have undergone five (5) Requests for proposals / Qualifications processes over the last seven (7) years and have operated the Day Laborer Program for more than seven (7) years, as currently as the summer of 2019, and have been selected in each of the previous Request for Proposals / Qualifications because it was either the highest ranking or the only applicant; and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) ensure that day laborers receive appropriate pay and adequate work conditions; and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have deep knowledge of the day laborer community and geographic area (District 5) (Fruitvale Avenue and Foothill Boulevard area) that will be served by this program; and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) provide holistic services to day laborers (legal, medical, housing, English as a Second Language support, referrals to government programs, and food security); and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) have established a seamless delivery system to ensure equitable work conditions and pay for day laborers and have a built a positive rapport with the businesses, day laborers, and community; and

WHEREAS, Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) success as the Oakland Day Laborer Program administrators has been documented thoroughly and provided to the Oakland Workforce Development Board, formerly the Oakland Workforce Investment Board, for the past six (6) years through quarterly reports; and

WHEREAS, City staff recommends entering into a professional services agreement with Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza) in an amount of \$195,000 to operate the City's Day Laborer Program for FY 2019-2020 with a one-year option to extend for FY 2020-2021 in an amount not to exceed \$220,000; and

WHEREAS, City staff recommends waiving the Request for Proposals / Qualifications processes for the award of the contract to Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de la Raza), for FY 2019-2020 from July 1, 2019 through June 30, 2020 in an amount not to exceed \$195,000, with a one-year option to renew for FY 2020-2021 from July 1, 2020 through June 30, 2021 in an amount not to exceed \$220,000 to ensure there is no delay or discontinuity in the provision of services to the Fruitvale Avenue and Foothill Boulevard community; and

WHEREAS, funds will be allocated to a professional services agreement to administer the Oakland Day Laborer Program totaling up to \$415,000; and

WHEREAS, the City Administrator has determined that this is an agreement for services of a professional, scientific or temporary nature; and

WHEREAS, the City finds that this contract will not result in a loss of employment or salary by any person having a permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Administrator or his or her designee is hereby authorized to enter into a professional services agreement with Causa Justa::Just Cause and its partners (Street Level Health and Centro Legal de las Raza) to administer the Oakland Day Laborers Program from July 1, 2019 through June 30, 2020, in an amount not to exceed \$195,000, with a one year option to extend from July 1, 2020 through June 30, 2021, in an amount not to exceed \$220,000 in General Purpose Fund (1010), Workforce Development Organization (85311), Day Laborers Program (1000167); and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.051B, for the reasons provided above and in the report accompanying this resolution, that the City Council hereby finds that it is in the best interest of the City to waive the Request for Proposals / Qualifications Process for the award of the professional services agreement referenced above so that Day Laborer Program participants and the Fruitvale and Foothill communities can continue to receive critical Day Laborer Program services without delay or interruption; and be it

FURTHER RESOLVED: That the City Administrator and her designees are hereby authorized to take any other action necessary and consistent with this 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