

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY VICE MAYOR KAPLAN

RESOLUTION:

- 1. WAIVING THE REQUEST FOR PROPOSAL/QUALIFICATIONS REQUIREMENT AND AWARDING A CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000 TO HARVEY M. ROSE ASSOCIATES, LLP TO PERFORM, AT THE DIRECTION OF THE COUNCIL PRESIDENT, AN INDEPENDENT ANALYSIS OF THE FISCAL YEAR 2020-21 BUDGET AND RELATED FISCAL ISSUES FOR THE CITY COUNCIL IN CONNECTION WITH THE FISCAL YEAR 2021-23 BUDGET DEVELOPMENT PROCESS;**
- 2. ALLOCATING \$50,000 IN UNEXPENDED FY 2020-21 GENERAL PURPOSE FUNDS (FUND 1010) FOR THE CONTRACT; AND**
- 3. AUTHORIZING THE CITY ADMINISTRATOR TO AMEND FY 2020-21 GENERAL PURPOSE FUND BUDGET APPROPRIATIONS, IF NECESSARY, TO FUND THE CONTRACT.**

WHEREAS, in 2017 the City issued a request for proposal for a qualified consultant to conduct an analysis of the Mayor's proposed budget and the City's budget practices and to report on the findings and analyses to the City Council for its budget deliberations; and

WHEREAS, the City received only one response from, Harvey M. Rose Associates, LLC, a highly qualified firm and, pursuant to Resolution No. 86743 C.M.S., awarded a contract to Harvey Rose Associates, LLC, to analyze the following topics: multi-year budget to actual expenditures and revenues with a focus on police, fire, information technology, and planning and building operations and services; major areas of budget year increases, including increases in the number of staff FTEs; salary savings; encumbrance and reserve adjustments; and potential revenue enhancement options, with a focus on property, sales, documentary transfer, utility, and business license fees; and

WHEREAS, in 2019, pursuant to Resolution No. 87582 C.M.S., the City awarded a second contract to Harvey M. Rose Associates, LLC to conduct an independent analysis of the proposed Fiscal Year 2019-2021 budget in connection with the Fiscal Year 2019-21 budget development process; and

WHEREAS, Oakland Municipal Code Section 2.04.051.B allows the City Council to waive the City's Request for Proposals/Qualifications (RFP/Q) requirements for award of professional service contracts upon a finding that it is in the City's best interest to do so; and

WHEREAS, the City Council wishes to waive the RFP/Q requirements and again contract with Harvey M. Rose Associates, LLC for budget analysis and related services in light of the firm's expertise and prior work for the City Council which enabled City Council to perform its work more efficiently, effectively and expeditiously; and

WHEREAS, the consultant will report to the President of the Council and Chair of the Finance Committee; and

WHEREAS, the proposed contract is of a professional, technical and temporary nature and it has been determined that it will 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 finds that it is in the City's best interest to waive the RFP/Q requirements and to award a contract to Harvey M. Rose to provide budget analysis services in connection with the FY 2021-23 budget development process in light of the firm's expertise and prior work for the City Council which enabled City Council to perform its work more efficiently, effectively and expeditiously; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.051.B the City Council hereby waives the RFP/Q requirements and awards a contract in an amount not to exceed Fifty Thousand Dollars (\$50,000) to Harvey M. Rose Associates, LLC to perform an independent analysis of the FY 2020-21 budget and related fiscal issues for the City Council in connection with the FY 2021-23 budget development process; and be it

FURTHER RESOLVED: That in addition to the independent analysis referenced above, Harvey M. Rose Associates, LLC, may conduct additional analysis as needed and if directed, subject to availability of funds up to the approved contract amount; and be it

FURTHER RESOLVED: The City Council hereby allocates \$50,000 of unexpended FY 2020-21 General Purpose Funds (Fund 1010) to fund the contract with Harvey M. Rose Associates, LLC; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to amend FY 2020-21 General Purpose Fund (Fund 1010) budget appropriations in the amount of \$50,000, if necessary, to fund the contract with Harvey M. Rose Associates, LLC; and be it

FURTHER RESOLVED: That the consultant shall report directly to the President of the Council and Chair of the Finance Committee, and will work collegially with the City Administrator, or their designee, to obtain relevant information including, but not limited to, past budget documents, memoranda, reports and other information as necessary to execute the work in a timely manner; and be it

FURTHER RESOLVED: That the City Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to take all actions necessary to effectuate the contract with Harvey M. Rose & Associates, LLC in accordance with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve the proposed contract as to form and legality and copies of the contract shall be filed with the Office of the City Clerk.

3012662v2

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
Interim City Clerk and Clerk of the Council of
the City of Oakland, California