


Farrah Hussein (Jun 22, 2026 11:49:27 PDT)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO FINALIZE AND EXECUTE A PURCHASE AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION, AS ADMINISTRATOR OF THE CLIPPER REGIONAL TRANSIT FARE-PAYMENT PROGRAM, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000), USING PREVIOUSLY APPROPRIATED REGIONAL EARLY ACTION PLANNING 2.0 HIGHER IMPACT TRANSFORMATIVE GRANT FUNDS, TO PURCHASE AND DISTRIBUTE APPROXIMATELY 1,000 PREPAID CLIPPER CARDS FOR THE WEST OAKLAND UNIVERSAL BASIC MOBILITY PILOT; AND MAKING FINDINGS TO WAIVE THE CITY'S FORMAL ADVERTISING, COMPETITIVE BIDDING, AND REQUEST FOR PROPOSALS/QUALIFICATIONS

WHEREAS, the Oakland Department of Transportation (OakDOT) is tasked with improving transportation choices and minimizing parking demand, congestion, and pollution in the City of Oakland (City); and

WHEREAS, one of the goals of OakDOT's Strategic Plan is to reduce transportation costs for Oakland residents; and

WHEREAS, the City, through its Transit First Policy, [Resolution No. 73036 CMS](#), supports a shift from private vehicles to public transit or other transportation modes that also reduces an individual's transportation costs, thereby freeing up personal resources for other important needs; and

WHEREAS, in September 2017, the City Council adopted [Resolution No. 86894 C.M.S](#) authorizing \$243,000 in funding for the [OakMob Transportation Demand Management project](#) in East Oakland. This project was the City's first Universal Basic Mobility (UBM) pilot, intended to increase ridership on the newly built TEMPO rapid bus project by distributing transit passes with up to \$300 to East Oakland residents living within one-half mile of the TEMPO line. The funding was spent between 2020 and 2021; and

WHEREAS, in November 2021, the City Council adopted [Resolution No. 88882 C.M.S](#) to accept and appropriate \$1.9 million in funding for the West Oakland Transit Improvements

(WOTI) project. This project includes expanding low-income transit and mobility passes and upgrading 14 bus stops in West Oakland; and

WHEREAS, in July 2022, the City Council adopted [Resolution No. 89294 C.M.S.](#), waiving competitive bidding requirements and executing a contract purchasing agreement with Usio Inc. for \$350,000 worth of restricted, prepaid debit cards funded by the WOTI project. Staff has since distributed these prepaid debit cards to qualifying West Oakland residents and workers; and

WHEREAS, in February 2023, the City Council adopted [Resolution No. 89575 C.M.S.](#) accepting and appropriating \$10,000,000 from the Regional Early Action Planning (REAP) 2.0 High Impact Transformative program to support the transit-oriented development component of the West Oakland TOD project; and

WHEREAS, four Hundred Fifty Thousand Dollars (\$450,000) of REAP 2.0 HIT grant funds have been appropriated and are available in California Housing and Community Development Fund (2144), REAP UBM W Oak Project (1008018), for the West Oakland UBM Pilot, of which up to Four Hundred Thousand Dollars (\$400,000) may be used for prepaid Clipper cards and up to Fifty Thousand Dollars (\$50,000) may be used for eligible City administrative costs, subject to the grant terms and applicable law; and

WHEREAS, any private benefit to individual program participants is incidental to the foregoing public purposes and therefore does not constitute a gift of public funds; and

WHEREAS, the City Council finds and determines that the expenditure of previously appropriated REAP 2.0 HIT grant funds for prepaid transit fare media serves important public purposes, including increasing access to public transit, reducing transportation cost burdens for eligible low-income Oakland residents and workers, reducing reliance on private automobile trips, supporting the City's Transit First Policy, and advancing the grant-funded transit-oriented development and equitable mobility objectives of the West Oakland Universal Basic Mobility Pilot; and

WHEREAS, MTC administers the Clipper regional transit fare-payment program, which is the regional fare-media platform usable on multiple public transit providers serving Oakland, and OakDOT has determined that purchasing prepaid Clipper cards from MTC will provide fraud prevention, administrative efficiency, cost savings, and a timely method to meet the grant expenditure deadline; and

WHEREAS, the City Council finds and determines that, because MTC administers the Clipper regional transit fare-payment program and because the City must expend grant funds by the applicable grant deadline, conducting formal advertising, competitive bidding, or a request for proposals/qualifications process would be impracticable, unavailing, and not in the City's best interests for this transaction; and

WHEREAS, 91% of participants in the first phase of the West Oakland UBM Pilot spent their funds on services via Clipper Cards; and

WHEREAS, MTC Clipper Card staff have agreed to subsidize the cost of physical Clipper Cards, and Clipper Cards are OakDOT staffs' preferred method for distributing UBM subsidies for the West Oakland UBM Pilot; and

WHEREAS, OakDOT and MTC have prepared a proposed purchase agreement under which the City would use previously appropriated REAP 2.0 HIT grant funds to purchase prepaid Clipper cards for distribution to eligible West Oakland UBM Pilot participants, with aggregate City payments to MTC not to exceed Four Hundred Thousand Dollars (\$400,000); now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator, or designee, to finalize, negotiate, and execute a purchase agreement with the Metropolitan Transportation Commission, as administrator of the Clipper regional transit fare-payment program, in an amount not to exceed Four Hundred Thousand Dollars (\$400,000), using previously appropriated REAP 2.0 HIT grant funds, to purchase and distribute approximately 1,000 prepaid Clipper cards, with up to Four Hundred Dollars (\$400) in transit value per eligible participant, for the West Oakland Universal Basic Mobility Pilot, subject to the grant terms, the availability of appropriated funds, and approval of the agreement as to form and legality by the City Attorney; and be it

FURTHER RESOLVED: That City of Oakland commits to implementing a second phase of the West Oakland UBM Pilot by appropriating and distributing these funds; and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code section 2.04.050.I.2 and 2.04.050.I.5, and based on the findings and determinations set forth in the Agenda Report accompanying this Resolution and the recitals above, the City Council finds and determines that formal advertising and competitive bidding for this purchase would be impracticable, unavailing, and not in the City's best interests, and the Council hereby waives the formal advertising and competitive bidding requirements for the purchase agreement with MTC; and be it

FURTHER RESOLVED: That, to the extent Oakland Municipal Code section 2.04.051 applies to any professional or specialized services included in the purchase agreement, the City Council finds and determines pursuant to Oakland Municipal Code section 2.04.051.B that it is in the City's best interests to waive the request for proposals/qualifications competitive selection requirements for this agreement; and be it

FURTHER RESOLVED: That the City Council finds and determines that this action is not a "project" under the California Environmental Quality Act ("CEQA") because it authorizes a fiscal, funding, purchasing, and administrative activity that will not result in direct or reasonably

foreseeable indirect physical changes in the environment, pursuant to CEQA Guidelines sections 15060(c)(2), 15060(c)(3), 15378(b)(4), and 15378(b)(5); and be it

FURTHER RESOLVED: That, in the alternative, even if this action were considered a “project” under CEQA, it is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that authorizing the purchase and distribution of prepaid transit fare media for eligible participants will have a significant effect on the environment; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is authorized to take all actions necessary to implement this Resolution consistent with its basic purposes, subject to the limitations set forth herein and without increasing the City’s payment obligation above the amount authorized by this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California