



Commission on Disability

ACTION CALENDAR  
May 30, 2017

To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Martha Singer MD, Chairperson, Commission on Disability

Subject: Urgent Request to Review Request for Proposals Process

#### RECOMMENDATION

Recommend that City Council direct the City Manager to review and evaluate whether the recent Request for Proposals process for City funding provides adequate notice of the bidding process including the timeline and clear communications.

The City of Berkeley recently released a Request for Proposals for Community Agency Funding, and two agencies vital to the safety net of the disabled community had difficulty with the process during this funding cycle. As a consequence, there may be substantial loss of services that are essential and irreplaceable for individuals with disabilities.

The recommendation is for a review of the process; the clarity of communications and timeline; clarification of any appeal of the deadline issues; a plan for improved future communications; and to determine if there may be compelling reasons to reconsider applicants.

Because it appears from the perspective of the agencies that there were significant issues with the process and communication, and because the consequences for individuals with disabilities would otherwise be severe, we ask that the City determine whether there may be compelling reasons to reconsider these applicants. Based on our information, we ask that the deadline be extended.

#### FISCAL IMPACTS OF RECOMMENDATION

Unknown

### IMPACT ON ACCESSABILITY FOR PERSONS WITH DISABILITIES AND OTHERS

Both Center for Independent Living (CIL) and Easy Does It (EDI) provide services and emergency services that are as far as we know not provided by any other contractor or agency, and the loss of these services even temporarily is potentially devastating for individuals with disabilities. This may have both immediate and long-term consequences for services for the disabled and seniors.

### CURRENT SITUATION AND ITS EFFECTS

Both CIL and EDI have expressed concern to the Commission on Disability (CoD) about the adequacy of notice of the Request for Proposal (RFP) process. The CoD's intent is to ask that the City ensure the notice and communication was clear and adequate, as the loss of the respective services would be devastating, especially if the RFP process itself was a factor in the two agencies not submitting proposals on time. The failure to be able to compete for funding has led to failure to fund critical portions of their missions.

For CIL, its Residential Access Program could be affected, a program that evaluates and provides home modifications that enable individuals with disabilities to remain safe and independent. The loss of funding even temporarily could lead to the loss of highly knowledgeable program staff. It is far more efficient to keep an established program going than to try to resurrect it after it has died.

EDI is a non-profit organization that provides emergency attendant care, accessible transportation, wheelchair repair, and assistive device repair for seniors and people with disabilities. They help in other ways with urgent problems of individuals with disabilities in a pinch. These services are essential services to the disabled community and to seniors.

At issue is the adequacy of notice, the clarity of communication including the timeline, the process for application, and opportunity for reconsideration if issues related to communication and process limited the ability of the agencies to compete for funding. If limitations in communication and process have led to the exclusion of these agencies from consideration, it would be reasonable to consider that there may be compelling reasons for reconsideration of the process, a clarification of the process, and the potential for future improved communications with critical providers of services. To the best of our knowledge, services that these two agencies provide are not provided by any other contract or agency, therefore it is even more important that these agencies have the opportunity to bid on these projects in a transparent process.

### BACKGROUND

There were missed communications about a two-year funding cycle for all housing services and social services proposals (July 1, 2017 through June 30, 2019). The RFP missed the attention of the Director of the CIL as it came in the form of a single email as a "Save the Date" workshop. There does not appear to be a clear appeals process for a missed or late submission, and this is what the commission on disability is requesting,

an opportunity for possible reconsideration. Because this same issue effected EDI as well, it is possible that services and emergency services to disabled residents will be unfunded and programs potentially entirely lost from these two agencies because of communication and process issues regarding timing of RFP.

ENVIRONMENTAL SUSTAINABILITY

Unknown

RATIONALE FOR RECOMMENDATION

The decisions to fund or not fund critical services to the disabled and senior communities should be based on thoughtful consideration of the content of the request in a transparent process with a process as well for appeal of delayed submission.

ALTERNATIVE ACTIONS CONSIDERED

None

CITY MANAGER

See Companion Report for the City Manager's position on this subject.

CONTACT PERSON

Ella Callow, Secretary for Commission on Disability (510) 981-6418

