



Office of the City Manager

ACTION CALENDAR  
May 30, 2017

To: Honorable Mayor and Members of Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Phillip Harrington, Director, Department of Public Works  
Subject: Companion Report: Urgent Request to Review Request for Proposal Process

RECOMMENDATION

Refer to the City Manager to review and evaluate whether the recent Request for Proposals process for City funding provides adequate notice of the bidding process, the timeline for submissions and clear communications. Also, if Council wishes to reconsider providing funding based on the Commission on Disability item entitled “Urgent Request to Review Request for Proposal Process,” that consideration should be limited to the Center for Independent Living.

FISCAL IMPACTS OF RECOMMENDATION

If Council grants a review of the Fiscal Year 2018-19 Request For Proposal (RFP) process, it will involve significant staff time resulting in unknown costs. If Council grants a one-time hardship exemption to the Center for Independent Living (CIL) and it in turn applies for and secures a Community Agency Grants (CAG), the City may award about \$140,000. At present, it is uncertain if this award would require taking funds from other Health, Housing, and Community Services-funded community agencies or from another funding source.

BACKGROUND

On November 7, 2016, the City provided community organizations advance notice of a Request for Proposals (RFP) Workshop to be held December 1, 2016, where additional assistance would be available to help them prepare CAG applications. A number of community organizations attended but did not submit timely proposals. Easy Does It (EDI), a disability community agency that provides transportation, attendant, and equipment repair services for people with disabilities in Berkeley, was among those organizations that attended. EDI successfully submitted one timely application, but submitted a second late application that sought funding for a new service. CIL, another disability community agency, did not submit any proposal.

On February 14, 2017, Council considered an Action Item<sup>1</sup> to allow late submissions of applications with a statement of strict adherence to future timelines; developed protocols for enhanced outreach to community agencies in the future; and developed a hardship exemption policy for late applications in specific circumstances. Council declined to allow late submissions, but opted instead to mandate the development of protocols for enhanced outreach, and a hardship exemption policy for late applications in specific circumstances.

On March 1, 2017, the Commission on Disability (CoD) heard from both CIL and EDI regarding impact of the loss of FY 2018-19 community agency funding on both organizations. CoD submitted a Consent Item to Council urging a review of the RFP process as it considered the loss of CIL's Residential Access programming a health and safety issue for Berkeley's disability community,<sup>2</sup>.

#### CURRENT SITUATION AND EFFECTS

The current RFP process is fair and equitable. Many agencies successfully completed the RFP process for CAG, and that process did not differ significantly from prior funding cycles. If a review is warranted and reconsideration of applicants is appropriate, however, such reconsideration should be limited to CIL as this organization stated it was not aware of the RFP. Further, although CIL's Executive Director was sent a notification email, adequate notice of the workshop was not received due possibly to an outdated contact on the Berkeley City Data dashboard.

While CIL neither attended the workshop nor submitted an application, EDI received notification and attended the RFP workshop. EDI successfully applied for and secured funding for FY 2018-19. EDI then submitted a second application for new programming after the deadline. Thus, there is no justification to reconsider EDI as an applicant nor to review the RFP process in relation to this organization's particular experience.

#### ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental impacts associated with the subject of this report.

#### RATIONALE FOR RECOMMENDATION

Council has already considered this issue although not in the specific context of these two disability organizations. Previously, Council chose not to re-open the submission period nor to extend the deadline retroactively for late filing applicants.

#### CONTACT PERSON

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

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<sup>1</sup> February 14, 2017 City Council Agenda: *Direct City Manager to Accept Late Applications for 2017-2019 Budget Cycle Community Agency Grants, and to Provide Enhanced Information and Support for Community Agencies During the Application Process*

<sup>2</sup> May 30, 2017 City Council Agenda: *Urgent Request to Review Request for Proposals Process*