

RESOLUTION NO. 73959

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE SAN JOSE CONSERVATION CORPS FOR COMMUNITY IMPROVEMENT ACTIVITIES FOR THE PERIOD OF JULY 1, 2007 TO JUNE 30, 2008, IN AN AMOUNT NOT TO EXCEED \$250,000; FINDING THAT THE SAN JOSE CONSERVATION CORPS PROVIDES A UNIQUE SERVICE THAT MAKES APPLICATION OF REQUIREMENTS FOR COMPETITIVE PROCUREMENT CONTRARY TO THE PUBLIC INTEREST; AND FINDING THAT THE CITY'S PREVAILING WAGE POLICY DOES NOT INCLUDE SERVICES PROVIDED BY THE SAN JOSE CONSERVATION CORPS

WHEREAS, the San José Conservation Corps ("SJCC") provides at-risk youth with essential job training and development opportunities for youth, and has provided various community improvement and conservation activities for the City of San José ("City") since 1988; and

WHEREAS, the City desires to enter into a new service agreement, under which community improvement activities are provided to City, which services may include neighborhood improvements, parks maintenance, tree planting, neighborhood beautification, graffiti abatement, housing rehabilitation, recycling at City buildings and emergency response; and

WHEREAS, Section 4.12.235 of the San José Municipal Code allows an exception to the City's requirement to conduct a procurement process for a service contract exceeding \$10,000 where an unusual or unique situation exists that makes the application of the requirements for competitive procurement of a services agreement contrary to the public interest; and

WHEREAS, the City also desires to clarify that the City's current prevailing wage policy does not apply to services provided by the SJCC; and

WHEREAS, the City desires to negotiate and execute an agreement with the SJCC to provide services for community improvement activities in an amount not to exceed \$250,000 for the period of July 1, 2007 through June 30, 2008, with four one-year options to extend the agreement subject to annual appropriation of funds;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

SECTION 1. The City Council finds and determines that a unique situation exists that makes application of the requirements for a competitive procurement contrary to the public interest, in that the SJCC provides significant community benefits to City by allowing at-risk youth to gain essential job training and development opportunities.

SECTION 2. The City Council finds and determines that the City's prevailing wage policy does not include the services provided by the SJCC, in that at-risk youth trainees provide the services, which allows the youth to learn the skills required for regular employment in higher paying vocations.

SECTION 3. The City Manager is hereby authorized to negotiate and execute an agreement with the SJCC for community improvement activities in an amount not to exceed \$250,000 for the period of July 1, 2007 to June 30, 2008, with four one-year options to extend the agreement subject to annual appropriation of funds.

ADOPTED this 21st day of August, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,
LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS;
REED

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk