



Office of the City Manager

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CONSENT CALENDAR
March 23, 2021

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: David White, Deputy City Manager
Subject: Contract No. 32000282 Amendment: AG Witt, LLC for COVID-19
Emergency Operations Cost Recovery Consultant

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000282 with AG Witt, LLC for COVID-19 Emergency Operations Cost Recovery Consulting, increasing the amount by \$100,000 for a total not to exceed amount of \$250,000.

FISCAL IMPACTS OF RECOMMENDATION

Funds up to \$250,000 for disaster cost recovery consulting services were included in the FY 2021 Adopted Budget with an approved General Fund appropriation of \$1.0 million for the City's COVID-19 response costs.

CURRENT SITUATION AND ITS EFFECTS

As part of the City's COVID-19 recovery effort, the City has been working with a disaster cost recovery firm, AG Witt, to advise and assist with the City's reimbursement applications through the Federal Emergency Management Agency's Public Assistance program (FEMA PA). The City contract costs with AG Witt, LLC will now exceed the City Manager contract authorization spending amount of \$150,000. A contract amendment is needed to increase the spending authority.

BACKGROUND

The City has been working with AG Witt, LLC since June 2020 on cost recovery issues tied to the City's COVID-19 response. AG Witt's strategic guidance and project support have been extremely helpful as the City prepares and submits cost reimbursement requests for the FEMA PA Program. The City's full scope of reimbursable expenditures is not yet known as the federal government continues to update and change FEMA PA rules and regulations.

In May 2020 the City underwent a Request for Proposal process to retain a firm to provide disaster cost recovery consulting services. After a selection process that included interviews with the top two respondents, the City's evaluation team consisting of representatives from the offices of the City Manager, Auditor and City Attorney and

the Emergency Operations Center, determined that the best qualified firm meeting the City's needs was AG Witt, LLC.

On May 26, 2020, the City entered into a contract with AG Witt. In September 2020, the Council approved a contract amendment increasing the spending authority by \$100,000 to \$150,000. The City contract costs with AG Witt, LLC will now exceed the Council's contract authorization spending amount of \$150,000. A contract amendment is needed to increase the spending authority.

Staff expects that this engagement with AG Witt will last for years, due to the extended duration of the FEMA cost recovery process and to the ongoing nature of the COVID-19 pandemic. Staff will return periodically to the Council to seek additional spending authority because the actual expenditures necessary during this emergency period are unknown.

Staff and AG Witt expect that AG Witt's contract costs will be partially reimbursable through the FEMA PA Program. FEMA will reimburse Administrative Costs the City incurs while doing FEMA PA program applications, for up to 5% of the final value of the total of all obligated costs from all eligible projects. This 'up to 5%' is written in the last project, called the CATEGORY Z Project for management costs.

ENVIRONMENTAL SUSTAINABILITY

None

RATIONALE FOR RECOMMENDATION

Amending Contract No. 32000282 with AG Witt, LLC to increase the contract amount will ensure uninterrupted cost recovery assistance to the City.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Rama Murty, Acting Budget Manager, City Manager's Office, (510) 981-7000

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32000282 – AG WITT, LLC FOR COVID-19 DISASTER COST RECOVERY CONSULTING SERVICES

WHEREAS, in May 2020 the City underwent a Request for Proposal process for a consultant firm to provide disaster cost recovery services; and

WHEREAS, the City determined after evaluating the proposals received that AG Witt, LLC. was the best qualified firm meeting the City's needs to provide COVID-19 disaster cost recovery consulting services; and

WHEREAS, on May 26, 2020, the City Manager entered into Contract No. 32000282 with AG Witt, LLC for COVID-19 Emergency Operations Cost Recovery Consulting, for a total not to exceed amount of \$50,000; and

WHEREAS, on September 22, 2020 the City Council adopted Resolution No. 69,566-N.S. authorizing the City Manager to execute an amendment to this contract, increasing the amount by \$100,000 for a total not to exceed amount of \$150,000; and

WHEREAS, the City contract costs with AG Witt, LLC will now exceed the Council authorization spending amount of \$150,000; and

WHEREAS, the FY 2021 Adopted Budget had funds up to \$250,000 for disaster cost recovery consulting services allocated as part of an approved General Fund allocation of \$1.0 million for the City's COVID-19 response; and

WHEREAS, staff expects that this engagement with AG Witt will last for multiple years, due to the extended duration of the FEMA cost recovery process and ongoing nature of the COVID-19 pandemic; and

WHEREAS, staff and AG Witt expect that AG Witt's contract costs will be partially reimbursable through the FEMA PA Program.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000282 with AG Witt, LLC to increase the contract amount by \$100,000 to a not to exceed amount of \$250,000. A record signature copy of said contract amendment to be on file in the Office of the City Clerk.

