

CITY OF OAKLAND

AGENDA REPORT

2006 JUN 27 PM 4:53

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: July 11, 2006

RE: **Resolutions Authorizing Professional Services Agreements with Essel Technology Services Inc., Oaks Environmental Testing, Professional Services Industries (PSI), Inc., and SCA Environmental, Inc. to Provide As-Needed Environmental Consulting Services in an Amount Not to Exceed \$37,500 Each for the Period of July 1, 2006 Through June 30, 2008**

SUMMARY

Resolutions have been prepared that authorize the City Administrator to enter into professional services agreements to provide as-needed lead based paint/asbestos/mold environmental consulting services with each of the following four (4) firms:

- Essel Technology Services, Inc., San Ramon
- Oaks Environmental Testing, Oakland
- Professional Services Industries (PSI), Inc., Oakland
- SCA Environmental, Inc., Oakland

Each agreement will be for a not-to-exceed amount of \$37,500 over a two-year period from July 1, 2006 through June 30, 2008. CEDA-HCD-Residential Lending and Housing Rehabilitation Services will manage the contracts.

The City administers a number of housing programs that include single-family and multi-family rehabilitation, emergency loan programs, exterior paint, access improvement program and minor home repair program. These programs are funded with CDBG and HOME (Federal) funds.

In 1992, the Residential Lead-Based Paint Hazard Reduction Act was approved by Congress and became a requirement of HUD funded programs. As a result, federally funded rehabilitation activities that occur on housing units built prior to 1978 are subject to the act. Specific requirements include a lead hazard risk assessment, paint inspection, abatement of lead based paint hazards and post rehabilitation clearance testing.

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July 11, 2006

For the past 13 years, lead based paint risk assessments and clearance testing has been provided by the Alameda County Lead Poisoning and Prevention Program in cooperation with the City. Due to significant funding reductions and budget constraints, the County is no longer able to provide these services, effective July 1, 2005.

To that end, \$150,000 in Home Maintenance and Improvement Program funds is needed to continue with the various rehabilitation programs that require lead based paint mitigation.

These resolutions will not only support compliance with HUD regulations, but also the Mayor's and the City Council's goal to develop a "Sustainable City". These contracts provide consulting services to resolve environmental problems that impact public health and safety, natural resources and the quality of life in Oakland.

FISCAL IMPACT

No new funds are required for this action. Funds totaling \$150,000 are budgeted in the FY 2005-2007 HUD - Community Development Block Grant Fund (2108) Municipal Lending Services Organization (88939), Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750) to fund the contract. The requisite consultant services are eligible costs for rehabilitation activities defined by the U.S. Department of Housing and Urban Development guidelines for both HOME and CDBG-funded programs.

Approval of these resolutions will enable the City to provide the service needed and ensure that work is done in a timely manner.

BACKGROUND

On December 10, 1991, the Alameda County Board of Supervisors adopted Resolution No. R-91-999 establishing County Service Area LA-1991-1 (the CSA) including the cities of Alameda, Berkeley, and Oakland, as well as the unincorporated area of Alameda County for the purpose of funding the Alameda County Lead Poisoning and Prevention Program (ACLPPP) to abate environmental lead hazards from residential property. Further, it was established that base revenues for the program consist of assessments set by the Alameda County Board of Supervisors and collected from owners of pre-1978 dwellings in the CSA.

The property tax assessment was later set at ten dollars (\$10.00) for all pre-1978 residential dwelling units and program services commenced July 1, 1992. During the period of July 1, 1992 through September 15, 2000, services were provided to participants in the residential rehabilitation programs on a voluntary basis, with a focus on households where children under the age of six (6) resided.

On September 15, 1999, the U.S. Department of Housing and Urban Development (HUD) issued a new regulation to protect young children from lead-based paint hazards in (all) housing that is financially assisted by the federal government or being sold by the government. The new regulation became effective September 15, 2000, one year after publication, to allow time for housing owners and state and local agencies to prepare for compliance. Effective September 16, 2000, federally-funded residential rehabilitation projects were required to have a lead-hazard risk assessment inspection report completed prior to loan or grant approval.

Subsequently, HUD has provided grant funds to local and State agencies to administer programs targeted at reducing lead based paint hazards. Alameda County, in conjunction with the City of Oakland, has been successful in receiving additional funds for lead based paint hazard mitigation services. These funds have been significantly reduced by the federal government and have resulted in significant staff reductions at the County for administration of this program.

Through the June 30, 2005 fiscal year, ACLPPP provided over three hundred (300) risk assessments to property owners in the City of Oakland. Eighty percent (80%) of those evaluations were a result of City rehabilitation applications.

A Request for Proposal (RFP) for lead based paint/asbestos/mold environmental consulting services contracts was sent to 121 firms. Six proposals were received and evaluated. Interviews of all six consultant teams were conducted in May 2006.

Based on the interview performances of the consultant teams, the specific needs of the City and the City's LBE/SLBE preferences and credit points program, four (4) consulting teams are recommended as the most qualified to provide the needed services. The four (4) recommended firms are:

- Essel Technology Services, Inc.
- Oaks Environmental Testing
- Professional Services Industries (PSI), Inc.
- SCA Environmental, Inc.

The City's requirement is 10% for LBE participation and 10% for SLBE (total LBE/SLBE participation is 20%). The LBE/SLBE information has been verified by the Contract Compliance Division of the City Manager's Office and is shown on "Attachment A".

The four (4) selected firms and their team partners have the technical personnel to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues confronting the City.

KEY ISSUES AND IMPACTS

According to the 2000 Census data, the City of Oakland has 141,991 housing units that were built prior to 1980, where lead-based paint is most often found. This represents 90% of the City's existing housing stock. Families living in these homes with children under the age of six are at risk of lead poisoning.

In the last ten years there have been 2,138 cases of lead poisoning reported in children under the age of six in the City of Oakland. Lead based paint is considered to be a major contributing factor in these cases.

To insure proper mitigation and abatement of lead hazards and to protect occupants and construction workers in properties receiving financial and technical assistance through our residential rehabilitation programs, the source of the hazard(s) must be identified prior to any construction work. The risk assessment is the required tool for proper identification, while the clearance test is the tool used for post-construction verification of abatement.

The Public Works Agency (PWA) currently maintains contracts with lead-based paint consultants for public facilities and commercial projects under their purview. To facilitate reducing delays in identifying lead-based paint hazards for residential rehabilitation projects, program staff collaborated with PWA environmental staff in identifying the appropriate consultants for these projects.

PROGRAM DESCRIPTION

The primary goal of the Home Maintenance and Improvement Program is to provide the City with a well-organized mechanism for effectively rehabilitating the City's stock of salvageable housing and for preventing neighborhood deterioration. Depending on the extent of the rehabilitation work, lead hazards may be disturbed or removed. The lead paint consulting services are necessary to determine the appropriate level of hazard abatement to employ on a given project. The City's Housing Development Program includes financing for rehabilitation of multi-family properties; loans that are funded from the City's annual HOME grant are also subject to the federal lead paint regulations.

As part of the inspection process for program applicants, the lead paint consultants will conduct a paint inspection and perform a lead-based paint hazard evaluation (risk assessment). The scope of work that is prepared by Rehabilitation staff for contractor bidding will incorporate the findings and recommendations for hazard mitigation set forth in the consultant's report.

Staff proposes to allocate \$150,000 of the Rehabilitation Loan Program Costs project budget for these services within the existing housing rehabilitation program activities. The requisite consultant services are eligible costs for rehabilitation activities defined by the U.S. Department of Housing and Urban Development guidelines for both HOME and CDBG-funded programs.

The exact scope of the consulting work will be determined on a project-by-project basis, and the generally required consultant services will include: lead-based paint pre-rehabilitation inspections, project design assistance, abatement/remediation cost estimating, project plan and specifications preparation, laboratory services and clearance testing. These services will need to be performed in such a manner that project schedules and site operations are impacted as little as possible.

SUSTAINABLE OPPORTUNITIES

Economic: The consultant services do not specifically or independently provide any economic opportunities for sustainable development. However, the rehabilitation programs support the City's affordable and sustainable housing and community development programs, which contribute to sustainable development through smart growth, job creation and economic development, and improvements in housing and community conditions for very low-income people.

The consultant services will maintain the availability of program services to disadvantaged areas of the City and improve the quality of life in residential neighborhoods by assisting in the removal of conditions that contribute to neighborhood blight and housing stock deterioration.

Environmental: The elimination of lead-based paint hazards will remove a serious environmental and health hazard. With many households where the owners are retired seniors, extra income is derived from babysitting and family-member child care for non-school age children. These children under the age of six have the greatest risk of exposure to lead-based paint hazards.

Social Equity: Residential rehabilitation program activities improve physical conditions in the City's lower income neighborhoods.

DISABILITY AND SENIOR CITIZEN ACCESS

The rehabilitation programs provide financial assistance to very low to moderate income citizens who own and occupy their homes in Oakland. Over 50% of the loans and grants are provided to single, head of household females over the age of 62. All of the programs are available on a first-come, first-served basis, with disabled property owners having immediate priority.

RECOMMENDATION(S) AND RATIONALE

Staff recommends authorizing professional services agreements with Essel Technology Services Inc., Oaks Environmental Testing, Professional Services Industries (PSI), Inc., and SCA Environmental, Inc. for as-needed lead-based paint/asbestos/mold environmental consulting services for participants in residential rehabilitation loan and grant programs, in an amount not-

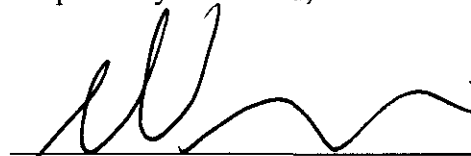
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July 11, 2006

to-exceed \$37,500 each and allocating \$150,000 from the rehabilitation loan program costs project (G08750) for this purpose for the two-year period of July 1, 2006 through June 30, 2008.

ACTION REQUESTED OF THE CITY COUNCIL


Approve the resolutions to authorize "as-needed" professional services agreements for lead-based paint/asbestos/mold environmental consulting services to Essel Technology Services, Inc., Oaks Environmental Testing, Professional Services Industries (PSI), Inc, and SCA Environmental, Inc. for the City's federally-funded rehabilitation loan and grant programs and to allocate \$150,000 from the Rehabilitation Loan Program Costs project to fund said contract.

Respectfully submitted,



DANIEL VANDERPRIEM

Director of Redevelopment, Economic
Development and Housing

Reviewed by: 

Sean Rogan, Deputy Director of Housing and
Community Development

Prepared by:

Karen McNeal-Luckett

Acting Manager, Residential Lending

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE


OFFICE OF THE CITY ADMINISTRATOR

Item: _____
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July 11, 2006

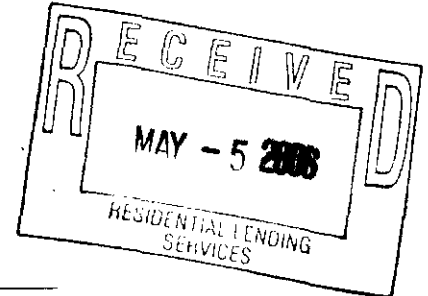
Attachment A

Memo

Office of the City Administrator
Contract Compliance & Employment Services Division



To: Karen McNeal-Luckett
From: Vivian Inman, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes, CC&ES Manager
Date: May 2, 2006
Re: **Compliance Analysis: Lead Based Consulting Services**



Contract Compliance & Employment Services reviewed six (6) proposals received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and review for compliance with the Equal Benefits Ordinance.

The L/SLBE findings are as follows:

	Company Name	Bid Amount (If Applicable)	Proposed Participation				Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)
			Total L/SLBE	LBE	SLBE	Trucking	Bid Discounts	Adjusted Bid Amount	Points		
1	ASES	NA	0%	0%	0%	NA	NA	N/A	0	0	N
2	Benchmark	NA	0%	0%	0%	NA	NA	NA	0	0	N
3	Essel Technology	NA	0%	0%	0%	NA	NA	NA	0	0	Y
4	Oaks Environmental Testing	NA	0%	0%	0%	NA	NA	NA	0	0	N
5	Professional Service Industries	NA	100%	100%	0	NA	NA	NA	0	0	N
6	SCA Environmental	NA	89%	0%	89%	NA	NA	NA	5	2	N

As noted above AES, Benchmark, Essel Technology, Oaks Environmental Testing and Professional Service Industries did not meet the minimum 20% SLBE requirement.

SCA Environmental met and exceeded the 20% requirement. They reported 89% SLBE participation.

Firms that are not EBO compliant will be required to come into compliance.

If you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer, at 238-6261.

2006 JUN 28 PM 4:01


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ESSEL TECHNOLOGY SERVICES INC., TO PROVIDE AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT, NOT TO EXCEED \$37,500 FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2008

WHEREAS, federal regulations require that housing rehabilitation activities financed with federal funds assess and mitigate hazards associated with the presence of lead-based paint; and

WHEREAS, the City finances its housing rehabilitation activities in part from federal grants under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs; and

WHEREAS, the City needs to be able to conduct pre-rehabilitation, lead-based paint risk assessments, paint inspections, laboratory analyses and post-rehabilitation clearance testing; and

WHEREAS, the City needs to be able to provide pre-rehabilitation identification of lead-based paint hazards at properties that the City will provide financial assistance for residential rehabilitation; and

WHEREAS, the City needs to provide laboratory services and clearance testing services to support the City's housing rehabilitation activities; and

WHEREAS, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties where the City will administer federally-funded rehabilitation; and

WHEREAS, the City needs to be able to provide environmental quality control services through rehabilitation project construction monitoring, air monitoring, and laboratory services to support the City's federally-funded rehabilitation programs; and

WHEREAS, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

WHEREAS, the City needs consultants that will interact with regulatory agencies, as the City's technical expert, in negotiations regarding environmental investigation and remediation; and

WHEREAS, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

WHEREAS through the City's Request for Proposal process, Essel Technology Services Inc. was rated as one of the top-ranked firms to provide the services required; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement directly or indirectly supports the City Council Goal to develop a "Sustainable City"; and

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Administrator or his/her designee is hereby authorized to negotiate and enter into an agreement for as-needed professional environmental consulting services with Essel Technology Services Inc., in a not-to-exceed amount of \$37,500 for a two year period from July 1, 2006 through June 30, 2008 and be it

FURTHER RESOLVED: That the funds for this agreement are allocated from HUD-CDBG Fund 92108, Municipal Lending Services Organization (88939) Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750); and be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the executed agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-


ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUN 29 AM 9:39

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH OAKS ENVIRONMENTAL TESTING, TO PROVIDE AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT, NOT TO EXCEED \$37,500 FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2008

WHEREAS, federal regulations require that housing rehabilitation activities financed with federal funds assess and mitigate hazards associated with the presence of lead-based paint; and

WHEREAS, the City finances its housing rehabilitation activities in part from federal grants under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs; and

WHEREAS, the City needs to be able to conduct pre-rehabilitation, lead-based paint risk assessments, paint inspections, laboratory analyses and post-rehabilitation clearance testing; and

WHEREAS, the City needs to be able to provide pre-rehabilitation identification of lead-based paint hazards at properties that the City will provide financial assistance for residential rehabilitation; and

WHEREAS, the City needs to provide laboratory services and clearance testing services to support the City's housing rehabilitation activities; and

WHEREAS, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties where the City will administer federally-funded rehabilitation; and

WHEREAS, the City needs to be able to provide environmental quality control services through rehabilitation project construction monitoring, air monitoring, and laboratory services to support the City's federally-funded rehabilitation programs; and

WHEREAS, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

WHEREAS, the City needs consultants that will interact with regulatory agencies, as the City's technical expert, in negotiations regarding environmental investigation and remediation; and

WHEREAS, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

WHEREAS through the City's Request for Proposal process, Oaks Environmental Testing was rated as one of the top-ranked firms to provide the services required; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement directly or indirectly supports the City Council Goal to develop a "Sustainable City"; and

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Administrator or his/her designee is hereby authorized to negotiate and enter into an agreement for as-needed professional environmental consulting services with Oaks Environmental Testing, in a not-to-exceed amount of \$37,500 for a two year period from July 1, 2006 through June 30, 2008 and be it

FURTHER RESOLVED: That the funds for this agreement are allocated from HUD-CDBG Fund 92108, Municipal Lending Services Organization (88939) Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750); and be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the executed agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 AM 9:39

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PROFESSIONAL SERVICES INDUSTRIES (PSI), INC., TO PROVIDE AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT, NOT TO EXCEED \$37,500 FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2008

WHEREAS, federal regulations require that housing rehabilitation activities financed with federal funds assess and mitigate hazards associated with the presence of lead-based paint; and

WHEREAS, the City finances its housing rehabilitation activities in part from federal grants under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs; and

WHEREAS, the City needs to be able to conduct pre-rehabilitation, lead-based paint risk assessments, paint inspections, laboratory analyses and post-rehabilitation clearance testing; and

WHEREAS, the City needs to be able to provide pre-rehabilitation identification of lead-based paint hazards at properties that the City will provide financial assistance for residential rehabilitation; and

WHEREAS, the City needs to provide laboratory services and clearance testing services to support the City's housing rehabilitation activities; and

WHEREAS, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties where the City will administer federally-funded rehabilitation; and

WHEREAS, the City needs to be able to provide environmental quality control services through rehabilitation project construction monitoring, air monitoring, and laboratory services to support the City's federally-funded rehabilitation programs; and

WHEREAS, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

WHEREAS, the City needs consultants that will interact with regulatory agencies, as the City's technical expert, in negotiations regarding environmental investigation and remediation; and

WHEREAS, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

WHEREAS through the City's Request for Proposal process, Professional Services Industries (PSI), Inc. was rated as one of the top-ranked firms to provide the services required; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement directly or indirectly supports the City Council Goal to develop a "Sustainable City"; and

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Administrator or his/her designee is hereby authorized to negotiate and enter into an agreement for as-needed professional environmental consulting services with Professional Services Industries (PSI), Inc., in a not-to-exceed amount of \$37,500 for a two year period from July 1, 2006 through June 30, 2008 and be it

FURTHER RESOLVED: That the funds for this agreement are allocated from HUD-CDBG Fund 92108, Municipal Lending Services Organization (88939) Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750); and be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the executed agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

2006 JUN 29 AM 9:39


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH SCA ENVIRONMENTAL, INC., TO PROVIDE AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT, NOT TO EXCEED \$37,500 FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2008

WHEREAS, federal regulations require that housing rehabilitation activities financed with federal funds assess and mitigate hazards associated with the presence of lead-based paint; and

WHEREAS, the City finances its housing rehabilitation activities in part from federal grants under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs; and

WHEREAS, the City needs to be able to conduct pre-rehabilitation, lead-based paint risk assessments, paint inspections, laboratory analyses and post-rehabilitation clearance testing; and

WHEREAS, the City needs to be able to provide pre-rehabilitation identification of lead-based paint hazards at properties that the City will provide financial assistance for residential rehabilitation; and

WHEREAS, the City needs to provide laboratory services and clearance testing services to support the City's housing rehabilitation activities; and

WHEREAS, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties where the City will administer federally-funded rehabilitation; and

WHEREAS, the City needs to be able to provide environmental quality control services through rehabilitation project construction monitoring, air monitoring, and laboratory services to support the City's federally-funded rehabilitation programs; and

WHEREAS, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

WHEREAS, the City needs consultants that will interact with regulatory agencies, as the City's technical expert, in negotiations regarding environmental investigation and remediation; and

WHEREAS, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

WHEREAS through the City's Request for Proposal process, SCA Environmental, Inc. was rated as one of the top-ranked firms to provide the services required; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement directly or indirectly supports the City Council Goal to develop a "Sustainable City"; and

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Administrator or his/her designee is hereby authorized to negotiate and enter into an agreement for as-needed professional environmental consulting services with SCA Environmental, Inc., in a not-to-exceed amount of \$37,500 for a two year period from July 1, 2006 through June 30, 2008 and be it

FURTHER RESOLVED: That the funds for this agreement are allocated from HUD-CDBG Fund 92108, Municipal Lending Services Organization (88939) Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750); and be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the executed agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California