

2006 JUN 28 PM 4:01


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. 80047 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, JUL 18 2006, 2006


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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