

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

## OAKLAND CITY COUNCIL

2007 NOV 15 PM 4:15 RESOLUTION No. 80982 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MOFFATT & NICHOL FOR AS-NEEDED CIVIL ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR A PERIOD OF THREE YEARS**

**WHEREAS**, professional civil engineering services are needed to provide site analysis and investigation, structural analysis, surveying, permit coordination, preparation of conceptual and schematic designs, preparation of construction documents for bidding, cost estimating, construction support, specialized laboratory testing services, and other work as requested by the City; and

**WHEREAS**, as-needed civil engineering services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, unscheduled projects will also occur throughout the three-year period and will likely require civil engineering services; and

**WHEREAS**, it is anticipated that various funded capital improvement projects will utilize the as-needed services agreements; and

**WHEREAS**, funds will be identified prior to the performance of the civil engineering services; and

**WHEREAS**, seventeen firms responded to City's Request for Proposals and Moffatt & Nichol was chosen as one of the top rated firms to provide the services; and

**WHEREAS**, the City wishes to enter into a contract with Moffatt & Nichol and the City Council finds that this contract is for services of a professional nature; and

**WHEREAS**, the City Council finds that the professional civil engineering services are exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; and

**WHEREAS**, the City Council finds that services under contract will be temporary; and

**WHEREAS**, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

**RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into an Agreement with Moffatt & Nichol to provide as-needed architectural design services; and, be it

**FURTHER RESOLVED:** That the total amount of the Agreement is for an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00); and, be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and, be it

**FURTHER RESOLVED:** That the City Administrator, or 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 agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 18 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**


AYES- ~~Brooks~~ BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND  
PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT- 0

ABSTENTION- Brooks - 1

ATTEST:

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