

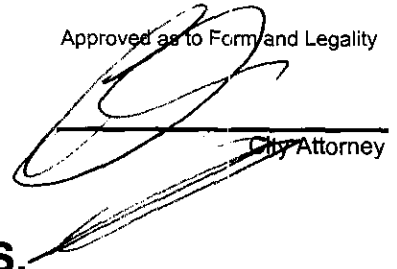
OFFICE OF THE CITY CLERK

2007 MAR 15 PM 2:00

OAKLAND CITY COUNCIL

RESOLUTION No. 80485 C.M.S.

Introduced by Councilmember _____



RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, (1) TO ACCEPT AND APPROPRIATE A STATE DEPARTMENT OF TRANSPORTATION GRANT FOR THE OAKLAND BAY TRAIL: MANDELA PARKWAY PROJECT (NO. G199010) IN THE AMOUNT OF SIXTY THOUSAND DOLLARS (\$60,000.00); AND (2) TO AMEND THE AGREEMENT WITH RHL DESIGN GROUP FOR AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR A TOTAL CONTRACT AMOUNT OF FOUR HUNDRED FIFTY-FOUR THOUSAND DOLLARS (\$454,000.00)

WHEREAS, the Oakland Bay Trail: Mandela Parkway Project (No. G199010) (“project”) is a bicycle and pedestrian facility improvement project; and

WHEREAS, the project is the third and last phase of the Acorn-Prescott Neighborhood Streetscape Improvements and construction of Phases 1 and 2 has been successfully completed; and

WHEREAS, the San Francisco Bay Conservation and Development Commission (“BCDC”) imposed an environmental mitigation fund requirement on the State Department of Transportation (“Caltrans”) as part of its seismic retrofit project to the Posey Webster Tubes; and

WHEREAS, the Oakland Bay Trail: Mandela Parkway project meets BCDC’s criteria for the Caltrans environmental mitigation grant by improving access for motorists, bicyclist and pedestrians on the San Francisco Bay Trail in West Oakland; and

WHEREAS, the Caltrans grant in the amount of sixty thousand dollars (\$60,000.00) is needed for the construction budget; and

WHEREAS, RHL Design Group has successfully provided professional services for Phases 1 and 2; and

WHEREAS, Amendment No. 7 to the professional services agreement with RHL Design Group is needed to revise the project plans and specifications for Phase 3 due to changes to the physical site conditions, and to provide bidding and construction support services; and

WHEREAS, funding is available to cover the contract amendment in TEA-21 Fund (2116), Project No. G199010, Capital Project Management Organization (92270); 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 accept and appropriate a Caltrans environmental mitigation grant in the amount of sixty thousand dollars (\$60,000.00) for the Oakland Bay Trail: Mandela Parkway Project (No. G199010); and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the Caltrans grant and this project in accordance with this resolution and its basic purposes with the exception of professional services, procurement and construction contracts in excess of the City Administrator's contract authority; and, be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above without return to Council; and, be it

FURTHER RESOLVED: That City Administrator, or her designee, is hereby authorized to amend the existing authorization for RHL Design Group to provide additional design and construction support services for an amount not to exceed twenty-five thousand dollars (\$25,000.00) for a total contract amount of four hundred fifty-four thousand dollars (\$454,000.00); 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, APR 3 2007, 20

PASSED BY THE FOLLOWING VOTE:


AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NADOL~~, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Nadel - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California