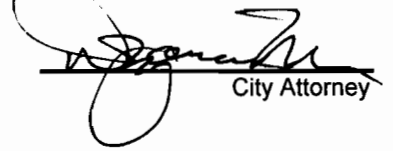


OFFICE OF THE CITY CLERK

2011 APR 27 PM 12:55

Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 83355 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR SERVICES FOR THE CITY'S RAIN BARREL PROGRAM WITH THE WATERSHED PROJECT FOR AN AMOUNT NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00)

WHEREAS, the City of Oakland Watershed and Stormwater Rain Barrel Program was awarded Federal stimulus funding under American Reinvestment and Recovery Act of 2009 (ARRA) through the Environmental Protection Agency (EPA) and the Clean Water State Revolving Fund (CWSRF); and

WHEREAS, on July 7, 2009, Council approved Resolution No. 82133 C.M.S. authorizing the City Administrator to enter into an agreement with the State Water Resources Control Board and to accept and appropriate one million, three hundred thousand dollars (\$1,300,000.00) for the City of Oakland Rainwater Harvesting Program with funds received from the American Recovery and Reinvestment Act of 2009 (ARRA); and

WHEREAS, the City needs to hire a consultant to provide services to provide rain barrel and cistern purchasing, sales, and inventory management, sales event staffing and coordination, stormwater public outreach and education, demonstration project design, youth employment and training, and other related services for the Rain Barrel Program; and

WHEREAS, the proposed agreement will enable the City to carry out ARRA funding goals for the City of Oakland Rainwater Harvesting Program ("Rain Barrel Program") by providing City of Oakland residents with subsidized rain barrels, stormwater workshops, and school/municipal demonstration projects to promote and implement wise stormwater management; and

WHEREAS, the funding period for this contract ends December 2012; and

WHEREAS, three firms responded to the City's Request for Proposals and The Watershed Project was chosen to provide the services; and

WHEREAS, the City wishes to enter into a contract with The Watershed Project and the City Council finds that this contract is for services of a professional, scientific or technical and temporary nature; 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 his designee, is hereby authorized to negotiate and execute an Agreement with The Watershed Project to provide services needed to carry out the City's Rain Barrel Program; and be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Seven Hundred Thousand Dollars (\$700,000.00); and be it

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

MAY 17 2011

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

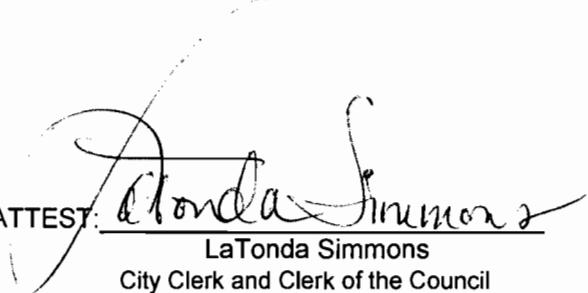
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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