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OAKLAND CITY COUNCIL

Resolution No. 83699 C.M.S.

RESOLUTION WAIVING THE REQUEST FOR PROPOSAL/REQUEST FOR QUALIFICATIONS ("RFP/RFQ") COMPETITIVE SELECTION REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICES CONTRACT WITH URS CORPORATION TO ADD DESIGN AND ENGINEERING SERVICES FOR BRIDGE SEISMIC RETROFIT PROJECTS AND INCREASE THE CONTRACT AMOUNT BY SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED EIGHT HUNDRED TWENTY-NINE THOUSAND FOUR HUNDRED DOLLARS (\$829,400.00)

WHEREAS, URS Corporation was selected through a competitive process by the California Department of Transportation (Caltrans) to design structural upgrades and prepare construction documents for the seismic retrofit of the following Oakland bridges:

- Park Blvd Viaducts,
- Campus Drive Bridge over Tributary to Lion Creek,
- Coliseum Way Bridge over Damon Slough,
- Hegenberger Road Bridge over San Leandro Street, Union Pacific Railroad (UPRR), and Bay Area Rapid Transit (BART),
- 23rd Avenue Bridge over UPRR, and
- Leimert Blvd Bridge over Sausal Creek; and

WHEREAS, Caltrans provided funding to the City for finalizing the construction documents, obtaining environmental approvals, securing permits, bidding, awarding and providing construction management; and

WHEREAS, the City entered into a contract with URS Corporation (Council Resolution No. 77815 C.M.S.) for a not-to-exceed amount of \$229,400.00 to provide above services ; and

WHEREAS, the approval of the environmental documents by Caltrans and regulatory agencies has presented many scope changes and caused delays; and

WHEREAS, two amendments were issued previously to extend the duration of the contract without increases to the contract amount to keep the projects on track while waiting for project approvals; and

WHEREAS, it is necessary to extend the contract for additional professional services to complete the projects; and

WHEREAS, funds for the remaining design services and bidding and construction support are available in the following projects:

Project Name	Project #	Fund	Org	Account	Amount
Seismic Retrofit of Park Blvd Viaducts	C346910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$10,000
Seismic Retrofit of Campus Drive Bridge	C346710	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$25,000
Seismic Retrofit of Coliseum Way Bridge	C346810	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$25,000
Seismic Retrofit of Hegenberger Rd Bridge	C347110	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H82910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$88,500
	H82920	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$11,500
Seismic Retrofit of 23 rd Ave Bridge	C347210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$123,900
	H83220	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$16,100
Seismic Retrofit of Leimert Blvd Bridge	C347010	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83110	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$159,300
	H83120	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$20,700
Total					\$600,000

* These funds will be appropriated into the projects when Caltrans approves the projects for construction.

; and

WHEREAS, extension of the contract for additional design services is approved by the funding agency; and

WHEREAS, Section 2.04.051 of the Oakland Municipal Code (the “OMC”) requires a competitive RFP/RFQ selection process for the award of contracts for professional services; and

WHEREAS, OMC Section 2.04.051 authorizes the City Council, upon a finding that it is in the best interests of the City, to waive the requirement for an RFP/RFQ competitive selection process for professional services contracts; 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 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 Council authorizes the City Administrator, or her designee, to negotiate and amend the professional services contract with URS Corporation to add additional design and engineering services for the Bridge Seismic Retrofit Projects and to increase the contract by Six Hundred Thousand Dollars (\$600,000.00) from Two Hundred Twenty-Nine Thousand Four Hundred Dollars (\$229,400.00) to a total contract amount not to exceed Eight Hundred Twenty-Nine Thousand Four Hundred Dollars (\$829,400.00), and waive the Request for Proposal (RFP) requirement for the new work; and be it

FURTHER RESOLVED: That it is in the best interests of the City to waive the RFP/RFQ competitive selection requirement (per OMC Section 2.04.051 B) because URS Corporation is the "Engineer of Record" for this project and will provide needed professional services to minimize delays and disruption during bidding and construction; and be it

FURTHER RESOLVED: That approval of this amendment will enable staff to retain the "Engineer of Record" to respond and resolve potential design conflicts, and will ensure continuity of the original professional liability and minimize costly delay claims during construction; 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 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 Amendment shall be approved for form and legality by the City Attorney, and a copy shall be kept on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB. 7 2012

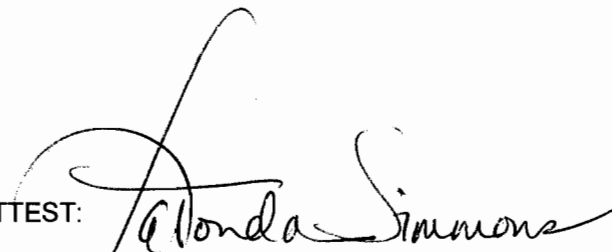
PASSED BY THE FOLLOWING VOTE:

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