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OFFICE OF THE CITY CLERK
OAKLAND

2012 JAN 11 AM 10:13

OAKLAND CITY COUNCIL

RESOLUTION NO. 83700 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing An Amendment To Increase The Agreement With Design Community And Environment For As-Needed Landscape Architectural Services For An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Bringing The Total Contract Amount To Eight Hundred Fifty Thousand Dollars (\$850,000.00)

WHEREAS, Design, Community and Environment was chosen through the City's Request-for-Proposal process to provide landscaping architectural services for City of Oakland projects on an as-needed basis; and

WHEREAS, on March 2, 2010, the City Council approved Resolution No. 82558 C.M.S. awarding an as-needed landscape architectural services contract to Design, Community and Environment in an amount not to exceed \$500,000.00; and

WHEREAS, Snow Park/Harrison Street/20th Street project is identified in the Lake Merritt Master Plan for improvements and funds are available for the project through Bond Measure DD, The Oakland Trust for Clean Water and Safe Parks; and

WHEREAS, staff utilized the contract with Design, Community and Environment for the Measure DD Snow Park/Harrison/20th Street project to commence the programming/planning, survey, schematic design, design development, and preparation of construction documents; and

WHEREAS, additional design services are required to address safe pedestrian access to the Lake, increase park area, incorporating additional programming elements and to preserve key views and vistas of the lake per Lake Merritt Master Plan; and

WHEREAS, it is in the best interest of the City to continue utilizing Design, Community and Environment in order to complete the remaining portions of the design work for the Snow Park/Harrison/20th Street project that include traffic analysis, construction support services, and Bay Friendly Landscaping certification; and

WHEREAS, funding for the remaining construction support design services of the Snow Park, Harrison, 20th Street project within Amendment No. 1 is available from the Measure DD Fund (5321), Capital Project Management Organization (92270), Consultant Services Account (54411) in Snow Park/Harrison/20th Street Project (C393910); and

WHEREAS, Section 2.04.051 B of the Oakland Municipal Code, authorizes the City Council to waive the competitive Request for Proposals/Request for Qualifications ("RFP/RFQ")

selection requirement of Section 2.04.051 A of the Oakland Municipal Code upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific or technical nature; and

WHEREAS, the City Council finds that services under the contract will be temporary in nature 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 pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement of Section 2.04.051 A of the Oakland Municipal Code in order to expedite the completion of the construction support services for the Snow Park/Harrison/20th Street project and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and, be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to execute Amendment No. 1 to increase the agreement with Design, Community and Environment for as-needed landscape architectural services in an amount not-to-exceed \$350,000.00, bringing the total contract amount to \$850,000.00; 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 the total dollar amount of the agreement; and, be it

FURTHER RESOLVED: That a copy of the 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, FEB 7 2012, 20

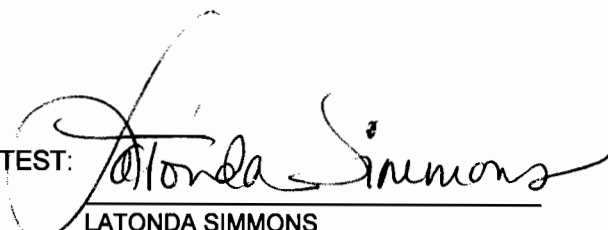
PASSED BY THE FOLLOWING VOTE:

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