

OAKLAND CITY COUNCIL  
RESOLUTION No. \_\_\_\_\_ C.M.S.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 JUL 1 PM 1:58  
*[Signature]*

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

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES TO CONDUCT AVERAGE DAILY TRAFFIC COUNTS AND RADAR SPEED ZONE STUDIES FOR AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$25,000 (TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$270,790) AND A TIME OF PERFORMANCE EXTENSION FROM JUNE 30, 2004 TO DECEMBER 31, 2004**

**WHEREAS**, Council Resolution No. 77109 C.M.S. authorizing an agreement with Kimley Horn and Associates (KHA) to conduct Average Daily Traffic (ADT) counts and radar Speed Zone Studies (SZS) for a not-to-exceed amount of \$245,790 was approved on May 7, 2002; and

**WHEREAS**, the original time of performance was extended by the City Administrator from June 30, 2003 to June 30, 2004 due to staff shortage in the Transportation Services Division (TSD); and

**WHEREAS**, additional products and services not included in the original work scope necessitated an increase in the budget and a second extension of the schedule; and

**WHEREAS**, the additional products and services will benefit law enforcement and the traffic court in the radar enforcement of speed limits; and

**WHEREAS**, the City Council finds that the products and services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, Council finds that this contract 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 Administrator, or her designee, is hereby authorized to amend the agreement with KHA to conduct ADT counts and radar SZS for an amount not-to-exceed \$25,000 (for a total contract amount not-to-exceed \$270,790) and a time of performance extension from June 30, 2004 to December 31, 2004; 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, provided that such amendments or extensions shall be filed with the Office of the City Clerk; and be it

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**FURTHER RESOLVED:** That a copy of the agreement will be approved for form and legality by the Office of the City Attorney and will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

S-10-2100

ORA/COUNCIL

JUL 20 2004

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