

 Deputy City Attorney  
 OFFICE OF THE CITY CLERK  
 OAKLAND

**OAKLAND CITY COUNCIL**

2005 JUN 30 PM 2:51

**RESOLUTION No. 79415 C.M.S.**

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH RAJAPPAN & MEYER CONSULTING ENGINEERS INC. FOR DESIGN SERVICES FOR THE LAKE MERRITT CHANNEL IMPROVEMENT PROJECT AT THE 7<sup>TH</sup> STREET FLOOD CONTROL STATION FOR AN AMOUNT NOT TO EXCEED ONE MILLION FIFTY THOUSAND DOLLARS (\$1,050,000.00)**

**WHEREAS**, Measure DD, the Oakland Trust for Clean Water and Safe Parks Fund includes a number of projects along the Lake Merritt Channel designed to improve tidal flows and access between the Estuary and Lake Merritt; and

**WHEREAS**, one of these projects is the Lake Merritt Channel Improvement Project at the 7<sup>th</sup> Street Flood Control Station; and

**WHEREAS**, the Measure DD program calls for the construction of a by-pass channel and bridge extension, multipurpose pathways, channel park enhancements, and the incorporation of public art elements, and

**WHEREAS**, professional design services are needed to design the project, and an extensive outreach effort to request proposals resulted in four responses; and

**WHEREAS**, Rajappan & Meyer Consulting Engineers Inc., a small local engineering firm, has formed a team of Engineers, Urban Planners, Hydrologists, and Landscape Architects with extensive experience in waterfront design, and was selected as the top ranked firm to expeditiously perform complete design and provide construction support services; and

**WHEREAS**, the total estimated project cost is \$11 million, supported by Measure DD funding, with design cost appropriated from the current 3-year bond series, and construction is scheduled to correspond with the next bond funding appropriation; and

**WHEREAS**, funding is budgeted for this agreement under the Measure DD Fund (5320), Capital Projects-Street and Structures Organization (92242), Consultant Contract Account (54411), 7<sup>th</sup> Street Flood Control Project (C244510); and

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

**WHEREAS**, the City Council finds that services under contract will extend for approximately three years; 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; and

**WHEREAS,** the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to negotiate and enter into a professional services contract with Rajappan & Meyer Consulting Engineers Inc., for design services for the Lake Merritt Channel Improvement Project at the 7<sup>th</sup> Street Flood Control Station in an amount not to exceed One Million Fifty Thousand Dollars (\$1,050,000.00) including a 9.5% contingency; 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 except those involving 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, JUL 19 2005, 2005

PASSED BY THE FOLLOWING VOTE:

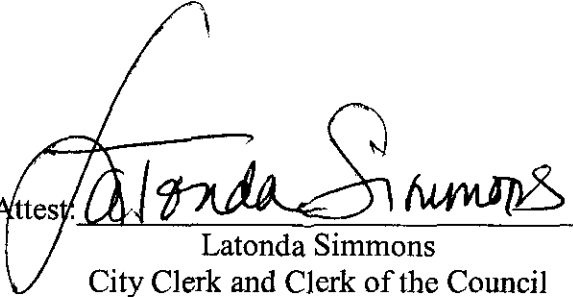
AYES- BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- BRUNNER - 1

ABSTENTION- 0

Attest:

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