

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 FEB 26 PM 2:26

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: March 9, 2004

RE: RESOLUTIONS AUTHORIZING FIVE (5) PROFESSIONAL SERVICES AGREEMENTS FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH KLEINFELDER, INC., WRECO, WOLFE MASON ASSOCIATES, INC., QUESTA ENGINEERING CORP., AND MOFFATT & NICHOL ENGINEERS, FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) EACH

SUMMARY

Resolutions have been prepared authorizing the City Manager, or her designee, to enter into professional services agreements to provide as-needed hydrology and creek restoration design services with each of the following five design firms:

- Kleinfelder, Inc.
- WRECO
- Wolfe Mason Associates, Inc.
- Questa Engineering Corp.
- Moffatt & Nichol Engineers

Each professional service agreement is for a not-to-exceed amount of \$200,000 over a three-year period. The Public Works Agency, Project Delivery Division, will manage the contracts. Staff will also work to develop a process to evaluate and report annually on the performance of each consultant, with results available in a central file.

These as-needed hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various City projects related to creeks, storm drains, wetlands, and Lake Merritt. Typical projects include hydrology and geomorphology studies, biological assessments, creek restoration, creek bank stability projects, wetland restoration, stormwater treatment and detention, and other water-related projects.

The as-needed hydrology and creek restoration design services for various improvement projects are consistent with the Mayoral and City Council Goal of "Maintaining and Enhancing Oakland's Physical Assets" by protecting and improving Oakland's waterways.

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Public Works Committee
3-9-04

FISCAL IMPACT

Each agreement is for an amount not to exceed \$200,000, for a total of \$1,000,000 for all five contracts. The as-needed hydrology and creek restoration design services will be required for projects funded by Measure DD (Oakland Trust for Clean Water and Safe Parks), Proposition 40 (2002 State Bond for Clean Air, Clean Water, and Safe Parks) and various other capital improvement funds and grants.

The approval of these contracts will not result in additional appropriation of funds. The services will be funded through the various individual projects. Funds will be identified prior to the performance of the design services.

BACKGROUND

In September 2003, the City issued a Request for Proposals (RFP) for as-needed hydrology and creek restoration design services. Fourteen firms responded to the RFP. The Public Works Agency, Project Delivery Division, reviewed the proposals and short-listed seven firms based on the quality and content of the proposals. The short-listed firms were then interviewed and evaluated by a selection panel. The evaluation criteria included the following:

1. Relevant experience;
2. Qualifications of project team and project manager;
3. Organization of firm, availability of resources and capability to meet project schedules;
4. Understanding of the design requirements for City projects; and
5. Ability to provide high quality customer service to the City and the community.

The top-ranked five firms are as follows:

- Kleinfelder, Inc.
- WRECO
- Wolfe-Mason Associates, Inc.
- Questa Engineering Corp.
- Moffatt & Nichol Engineers

The five firms selected are the most qualified to provide as-needed hydrology and creek restoration design services. Four firms are certified local or small local businesses and all five firms have met the City's Local/Small Business Enterprise (LBE/SLBE) program requirements of 50% total local participation. The Contract Compliance Division of the City

Manager's Office has verified the LBE and SLBE information for each firm as shown on Attachment A.

The five selected firms have the technical expertise to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues involved in implementing capital improvement projects along the City's waterways.

KEY ISSUES AND IMPACTS

It is anticipated that several capital improvement projects funded by Measure DD, Proposition 40 and various other capital improvement funds and grants will utilize the as-needed hydrology and creek restoration design services agreements. Additionally, unscheduled projects will occur throughout the three-year period and will most likely require or benefit from these design services agreements. As-needed professional services agreements allow the City to promptly respond to and provide the necessary design services in an efficient and timely manner. The agreements will also reduce staff time and costs when compared to an individual project-by-project request for proposal process.

SUSTAINABLE OPPORTUNITIES

Economic: The projects will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. Local businesses will be utilized on the projects and will benefit directly.

Environmental: The projects will protect and improve our creeks, wetlands, and Lake Merritt. Water quality will be improved, and wildlife habitat enhanced.

Social Equity: The proposed design services to the various projects will enhance the usage and quality of waterways in all parts of Oakland. Watershed-based planning of these projects will improve the social connections between the upstream and downstream neighborhoods.

DISABILITY AND SENIOR CITIZEN ACCESS

Consultants will be required to design the City improvements in compliance with the physical access requirements of the Americans with Disabilities Act.

RECOMMENDATION AND RATIONALE

As-needed professional services agreements will expedite the design of capital improvement projects. The time and costs currently expended in selecting consultants on a project-by-project basis will be reduced.

It is recommended that the City Manager, or her designee, enter into professional services contracts to provide as-needed hydrology and creek restoration design services with each of the following five firms: 1). Kleinfelder, Inc., 2) WRECO, 3) Wolfe Mason Associates, Inc., 4) Questa Engineering Corp., and 5) Moffatt & Nichol Engineers. Each contract is for an amount not to exceed \$200,000.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that City Council approve the resolutions.

Respectfully submitted,

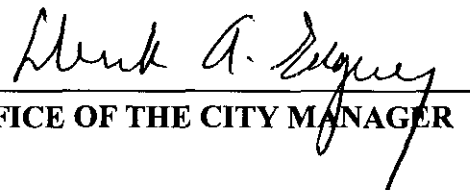


RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
David Lau, P.E.
Project Delivery Manager
Design & Construction Services


Prepared by:
Joel Peter
Project Manager
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE


OFFICE OF THE CITY MANAGER

Item: 6
Public Works Committee
3-9-04

Memo

To: Gwen McCormick
From: Vivian Inman 
Date: December 12, 2003
Re: As Needed Hydrology & Creek Restoration Design Services

Fourteen (14) submittals were received for the As Needed Hydrology & Creek Restoration Design Services proposal.

Under this as needed service contract, the Request For Proposal did not require the listing of a project consultant team. However, 93% of the submittals included a listing of the project consultant team along with estimated levels of local participation. Therefore, this evaluation summary will be divided into two sections. Section I includes those submittals that listed project consultant team and met or exceeded the 50% goal. Section II includes those submittals that listed the project consultant team and did not meet the 50% goal. A summary of findings is as follows:

Section 1

The following RFP's were reviewed for compliance with the City of Oakland's L/SLBE Program goals. Based upon our review the following ten (10) firms met or exceeded the city's L/SLBE goals.

	<u>Name of Company</u>	<u>LBE</u>	<u>SLBE</u>	<u>Total</u>
1.	LFR, Inc.	15%	40%	55%
2.	Kleinfelder	15%	35%	50%
3.	Andrew Leahy	15%	38%	53%
4.	Wolfe Mason	10%	40%	50%
5.	Moffatt & Nichol Engineer	15%	36%	51%
6.	Mactec Engineering & Consult.	15%	35%	50%
7.	CH2M Hill	15%	35%	50%
8.	ECORP Consulting	15%	35%	50%
9.	Questa Engineering	0%	51%	51%
10.	Jones & Stokes	15%	35%	50%
11.	Amphion*	15%	40%	55%
12.	HDR Engineering*	15%	35%	50%
13.	Wreco*	0%	70%	70%

*Original Schedule E had no percentages. Project Manager requested consultants to submit revised Schedule E to include percentages.

Gwen McCormick
December 12, 2003
Page 2

Section II

The following submittal listed the project consultant team but did not meet the 50% goal.

<u>Name of Company</u>	<u>LBE</u>	<u>SLBE</u>	<u>Total</u>
1. Hargreave Associates	11%	10%	21%

If you have any questions or need additional information please contact Vivian Inman at ext. 6261.

Cc: Danny Lau
File

LBE/SLBE Participation Kleinfelder, Inc.

Project Name: As Needed Hyrdrology & Creek Restoration Design Service
Project Cost:

Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Purposes Only		
								Ethn.	MBE	WBE
PRIME	Kleinfelder, Inc.	Oakland	CB	15%	15%	15%	40%	AA		35%
	Mason Tillman	Oakland	CB							
	Philip Williams & Assoc.	San Francisco	UB	20%	20%	15%				
	Four Dimensions Lands.	Oakland	UB			10%				
	Geotopo, Inc.	Oakland	CB			20%				
Project Totals				15%	35%	50%	100%		0%	35%
PROFESSIONAL SERVICE GOALS				LBE 15%	SLBE 35%	LBE/SLBE 50%	100%			
				Max Credit						

Goals:

The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:

ALL LBE	All certified Local and Small Local Businesses	CB	Certified Business
LBE	Local Business Enterprise	UB	Uncertified Business
SLBE	Small Local Business Enterprise		
LTRU	Local Trucking Businesses		
MBE	Minority Business Enterprise (for tracking only)	AA	African American
WBE	Women Business Enterprise (for tracking only)	H	Hispanic American
		A	Asian American
		NA	Native American
		C	Caucasian

LBE/SLBE Participation Wreco

Project Name: As Needed Hyrdrology & Creek Restoration Design Service										
Project No.:										
Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Purposes Only		
								Ethn.	MBE	WBE
PRIME	Wreco	Oakland	CB		60%	60%	60%	A	60%	
	Farwest Restoration	Alameda	UB				15%			
	High Quality Engineering	Oakland	UB				5%	C		5%
	Tylin International/CCS En	Oakland	UB				5%			
	Restoration Design Corp.	Berkeley	UB				5%			
	Northgate Environmental	Oakland	CB		5%	5%	5%			
Laurel Marcus Associates	Oakland	CB		5%	5%	5%	C		5%	
Project Totals				0%	70%	70%	100%		60%	10%
PROFESSIONAL SERVICE GOALS				LBE	SLBE	LBE/SLBE				
				15%	35%	50%				
				Max Credit						

Goals:

The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:

ALL LBE	All certified Local and Small Local Businesses	CB	Certified Business
LBE	Local Business Enterprise	UB	Uncertified Business
SLBE	Small Local Business Enterprise	AA	African American
LTRU	Local Trucking Businesses	H	Hispanic American
		A	Asian American
MBE	Minority Business Enterprise (for tracking only)	NA	Native American
WBE	Women Business Enterprise (for tracking only)	C	Caucasian

LBE/SLBE Participation Wolfe Mason, Inc.

Project Name: As Needed Hydrology & Creek Restoration Design Service

Project No.:

Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Purposes Only					
								Ethn.	MBE	WBE			
PRIME Civil Engineering Hydrology & Eng. Geomorphology Community Facil. Biology	Wolfe Mason Assoc. Schaaf & Wheeler Kamman Hydrology & Eng Lowrney Associates Design, Community & Env. Garcia & Associates	Oakland	CB	10%	40%	40%	40%						
		Santa Clara	UB								25%		
		San Rafael	UB									10%	
		Oakland	CB										10%
		Berkeley	UB										
San Franc.	UB	10%											
Project Totals				10%	40%	50%	100%		0%	0%			
PROFESSIONAL SERVICE GOALS				LBE 15%	SLBE 35%	LBE/SLBE 50%							
				Max Credit									

Goals:

The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:

ALL LBE All certified Local and Small Local Businesses
 LBE Local Business Enterprise
 SLBE Small Local Business Enterprise
 LTRU Local Trucking Businesses

MBE Minority Business Enterprise (for tracking only)
 WBE Women Business Enterprise (for tracking only)

CB Certified Business
 UB Uncertified Business

AA African American
 H Hispanic American
 A Asian American
 NA Native American
 C Caucasian

LBE/SLBE Participation Questa Engineering

Project Name: As Needed Hydrology & Creek Restoration Design Service
Project No.:

Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Purposes Only		
								Ethn.	MBE	WBE
PRIME Sub Sub	Questa Engineering Laurel Marcus & Assoc. Bracewell Engineering	Richmond	UB				49%	C		40%
		Oakland	CB		40%	40%	40%			
		Oakland	CB		11%	11%	11%			
Project Totals				0%	51%	51%	100%		0%	40%
PROFESSIONAL SERVICE GOALS				LBE 15%	SLBE 35%	LBE/SLBE 50%				
				Max Credit						

Goals:

The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:

ALL LBE All certified Local and Small Local Businesses
LBE Local Business Enterprise
SLBE Small Local Business Enterprise
LTRU Local Trucking Businesses

MBE Minority Business Enterprise (for tracking only)
WBE Women Business Enterprise (for tracking only)

CB Certified Business
UB Uncertified Business

AA African American
H Hispanic American
A Asian American
NA Native American
C Caucasian

Moffatt & Nichol Engineers LBE/SLBE Participation

Project Name: As Needed Hydrology & Creek Restoration Design Service
Project No.:

Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Purposes Only		
								Ethn.	WBE	
PRIME Environmental Bio-Engineering Surveying Geotechnical Landscape Arch.	Moffatt & Nichol Engineers G. Borchard & Assoc Farwest Restoration Eng. PLS Surveying Urbe & Associates Wolfe Mason & Associates	Oakland Oakland Alameda Oakland Oakland Oakland	CB CB UB CB CB CB	15%	7%	15%	40%	C	7%	
				7%	11%	11%	15%	C	11%	
				11%	18%	18%	9%	H	9%	
				18%		18%	18%			
				18%		18%	18%			
Project Totals				15%	36%	51%	100%		9%	18%

PROFESSIONAL SERVICE GOALS

LBE	15%	Max Credit
SLBE	35%	
LBE/SLBE	50%	

Goals:
The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:	
ALL LBE	All certified Local and Small Local Businesses
LBE	Local Business Enterprise
SLBE	Small Local Business Enterprise
LTRU	Local Trucking Businesses
MBE	Minority Business Enterprise (for tracking only)
WBE	Women Business Enterprise (for tracking only)
CB	Certified Business
UB	Uncertified Business
AA	African American
H	Hispanic American
A	Asian American
NA	Native American
C	Caucasian

6
PUBLIC WORKS CMTE.
MAR 9 2004

Lee D. ...
2004 FEB 26 PM 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

WHEREAS, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Kleinfelder, Inc. was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Kleinfelder, Inc. and 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 be temporary; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

6-1
PUBLIC WORKS CMTE.
MAR 9 2004

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Kleinfelder, Inc. to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and be it

FURTHER RESOLVED: That the City Manager, 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 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, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

6-1

PUBLIC WORKS CMTE.

MAR 9 2004

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

Royal Sierra
RECEIVED 25 PM 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WRECO FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

WHEREAS, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Wreco was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Wreco and 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 be temporary; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

6-2

PUBLIC WORKS CMTE.

MAR 9 2004

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Wreco to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and be it

FURTHER RESOLVED: That the City Manager, 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 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, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

6-2 ATTEST: _____

CEDA FLOYD

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

PUBLIC WORKS CMTE.
MAR 9 2004

RESOLUTION No. _____ C.M.S. _____

INTRODUCED BY COUNCILMEMBER _____

OFFICE OF THE CITY CLERK
RECEIVED

REV. [Signature] PH 2:27
2004 FEB 25

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WOLFE MASON ASSOCIATES, INC. FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

WHEREAS, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Wolfe Mason Associates, Inc. was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Wolfe Mason Associates, Inc. and 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 be temporary; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

6-3

PUBLIC WORKS CMTE.

MAR 9 2004

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Wolfe Mason Associates, Inc. to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and be it

FURTHER RESOLVED: That the City Manager, 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 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, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

6-3

ATTEST: _____

CEDA FLOYD

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

PUBLIC WORKS CMTE.

MAR 9 2004

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

OFFICE OF THE CITY CLERK

R. G. ... 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH QUESTA ENGINEERING CORP. FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

WHEREAS, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Questa Engineering Corp. was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Questa Engineering Corp. and 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 be temporary; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

6-4

PUBLIC WORKS CMTE.

MAR 9 2004

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Questa Engineering Corp. to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and be it

FURTHER RESOLVED: That the City Manager, 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 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, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

6-4

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

PUBLIC WORKS CMTE.

MAR 9 2004

Rec. V. [Signature]
2004 FEB 23 PM 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MOFFATT & NICHOL ENGINEERS FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

WHEREAS, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Moffatt & Nichol Engineers was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Moffatt & Nichol Engineers and 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 be temporary; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

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PUBLIC WORKS CMTE.

MAR 9 2004

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Moffatt & Nichol Engineers to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and be it

FURTHER RESOLVED: That the City Manager, 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 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, _____, 2004

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

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PUBLIC WORKS CMTE.
MAR 9 2004