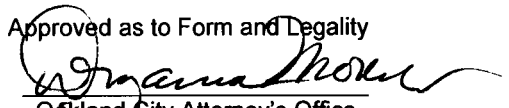


OFFICE OF THE CITY CLERK
OAKLAND
09 JUL -2 PM 7:00

Approved as to Form and Legality



Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82185 C.M.S.

Introduced by Councilmember _____

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR,
OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL
SERVICES AGREEMENT IN AN AMOUNT NOT-TO-EXCEED
FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) WITH
KIMLEY-HORN AND ASSOCIATES, INC. FOR AS-NEEDED
TRANSPORTATION PLANNING SERVICES OVER A PERIOD
OF THREE (3) YEARS**

WHEREAS, professional as-needed transportation planning services are needed to assist the Transportation Services Division (TSD) and other Departments and Divisions under the Community and Economic Development Agency (CEDA) with planning, design, data collection, research, community outreach and technical support services for various transportation plans and projects; and

WHEREAS, the as-needed transportation planning services agreement allows TSD and CEDA, as a whole, to respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, the as-needed transportation planning services allows TSD and CEDA, as a whole, to design and plan improvements to Oakland's transportation network; and

WHEREAS, CEDA and TSD anticipates that several currently funded transportation plans, including the Mills MacArthur Community Based Transportation Plan, will utilize the as-needed transportation planning services agreement; and

WHEREAS, mid-year plans and projects will arise throughout the three (3) year period and will likely require as-needed transportation planning services; and

WHEREAS, as-needed transportation planning services will be funded through the various individual projects and funds will be identified prior to the performance of the as-needed services; and

WHEREAS, pursuant to Oakland Municipal Code Section 2.04.051 A, the City conducted a competitive Request for Qualifications selection process; and

WHEREAS, TSD staff recommends Kimley-Horn Associates, to provide as-needed transportation planning services required for an amount not-to-exceed \$500,000.00; and

WHEREAS, Kimley-Horn Associates has met the City’s 20% Local/Small Local Business Enterprises (LBE/SLBE) Program requirements and has been determined to be in compliance with the Equal Benefits Ordinance (EBO); 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 authorize the City Administrator, or his designee, to enter into a Professional Service Agreement with Kimley–Horn Associates, for As-Needed Transportation Planning Services in an amount not-to-exceed \$500,000.00; and be it

FURTHER RESOLVED: That the term of the Agreement shall be for three (3) years and is anticipated to cover the time period from July 2009 to June 2012; and be it

FURTHER RESOLVED: That the City Administrator, or his 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 funds, provided that such amendments or extensions shall be approved for form and legality by the City Attorney and a copy shall be kept on file with the City Clerk; and be it

FURTHER RESOLVED: That the Agreement 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, JUL 21 2009

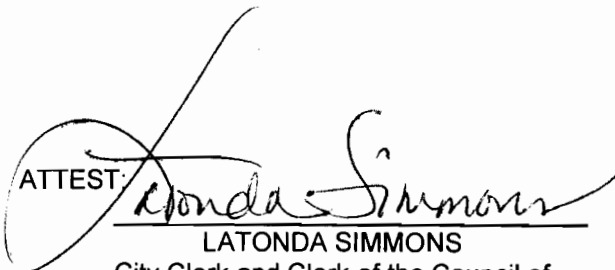
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER – 8

NOES – 0

ABSENT – 0

ABSTENTION – 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California