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OAKLAND
2008 DEC -4 PM 4:01

REVISED

Approved as to Form and Legality

Mark P. Wall
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 81696 C.M.S.

Introduced by Councilmember _____

A CITY RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED TWO MILLION ONE HUNDRED AND THIRTEEN THOUSAND TWENTY FOUR DOLLARS (\$2,113,024) WITH 90% (\$1,901,722) FROM THE COLISEUM REDEVELOPMENT PROJECT AREA AND 10% (\$211,302) FROM THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH COMMUNITY DESIGN + ARCHITECTURE FOR DEVELOPMENT OF THE CENTRAL ESTUARY AREA SPECIFIC PLAN IN AN AMOUNT NOT TO EXCEED TWO MILLION FIFTY ONE THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$2,051,480) PLUS ALLOCATE \$61,544 FOR CONTRACT COMPLIANCE FEES FOR A TOTAL PROJECT COST OF \$2,113,024

WHEREAS, on July 10, 2007, the Oakland City Council directed that a Specific Plan and related Environmental Impact Report (EIR) be prepared for the Central Estuary Area which generally encompasses 19th Ave. to the north, 54th Ave. to the south, I-880 to the east and the Bay to the west; and

WHEREAS, the Redevelopment Agency wishes to fund the preparation of the Specific Plan and related EIR for the Central Estuary Area; and

WHEREAS, the Redevelopment Agency has authorized a \$2,113,024 contribution to the City for the development of a Specific Plan and related EIR for the Central Estuary Area; and

WHEREAS, the City and the Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Agency financial contributions to City activities in support of redevelopment projects; and

WHEREAS, the firm of Community Design + Architecture was selected through a review of competitive proposals, professional qualifications and negotiations relative to

providing a comprehensive fee and Scope of Work within the City's available budget and authorized Scope of Work for the project; and

WHEREAS, the City Council finds that this agreement is for services of a professional nature, the services under this agreement will be temporary, and this 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 Redevelopment Agency funds for both the contract and contract compliance fees in the amount of \$1,901,722 will be accepted under the Cooperation Agreement and appropriated into Oakland Redevelopment Fund (7780), Coliseum Org (88659), Project to be determined; and in the amount of \$211,302 will be accepted and appropriated into Oakland Redevelopment Fund (7780), Central City East Org (88699), Project to be determined; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate and execute a professional services contract and a scope of services, in substantial conformance with Attachments B and C to the City Council Agenda Report dated November 12, 2008, with Community Design + Architecture to develop a Specific Plan and accompanying Environmental Impact Report for a total not-to-exceed contract amount of Two Million Fifty One Thousand Four Hundred Eighty Dollars (\$2,051,480), with an estimated amount for basic services of One Million Eight Hundred Twenty Five Thousand Thirty Dollars (\$1,825,030), subject to the review and approval by the Office of the City Attorney; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to exceed the basic contract amount for additional services for optional scope items, project contingencies or unforeseen conditions in an estimated amount of Two Hundred Twenty Six Thousand Four Hundred Fifty Dollars (\$226,450), for a total not-to-exceed contract amount of Two Million Fifty One Thousand Four Hundred Eighty Dollars (\$2,051,480); and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to allocate 3% of the total contract amount (\$61,544), for contract compliance fees, for a total project cost of \$2,113,024; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to (a) approve any subsequent amendments to or extensions of said agreement, except those involving additional compensation or the allocation of additional funds, provided that such amendments or extensions shall be reviewed and approved by the Office of the City Attorney and filed with the City Clerk's Office, and (b) to take any other necessary steps to develop the Specific Plan, consistent with the terms of this Resolution; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 9 2008

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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