

City Attorney

2018 JUN 14 PM 5:31

OAKLAND CITY COUNCIL

RESOLUTION No. 87265 = C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION (“RFP/Q”) REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT WITH HIBSER YAMAUCHI ARCHITECTS (HYA) BY AN AMOUNT NOT-TO-EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) TO TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00.)

WHEREAS, Hibser Yamauchi Architects (HYA) was chosen through the City’s Request for Proposal process to provide architectural services for City of Oakland projects on an on-call basis; and

WHEREAS, on June 18, 2013, City Council approved Resolution No. 84463 C.M.S. awarding an on-call architectural services contract to HYA for an amount not-to-exceed \$150,000.00; and

WHEREAS, Head Start Facilities Renovations Projects for Brookfield, Arroyo Viejo and Manzanita Head Start Centers are identified for funding by Bond Measure KK for FY 2017-19; and

WHEREAS, a Request for Proposal (RFP) was issued to On-Call Architectural Design Services for the Renovation project on September 29, 2017, to On-Call firms, and HYA was the only firm responding with a proposal; and

WHEREAS, staff utilized the on-call contract with Hibser Yamauchi Architects for the Head Start Facilities Renovation Projects to commence the programming/planning, survey, schematic design, design development, and preparation of construction documents; and

WHEREAS, HYA complies with all Local Business Enterprise/Small Local Business Enterprise requirements; and

WHEREAS, additional design services are required to complete the project; and

WHEREAS, the existing contract for on-call services lacks sufficient capacity to complete the project; and

WHEREAS, it is in the best interest of the City to continue utilizing HYA to complete construction bid documentation, for additional construction support services, contingency for unforeseen conditions and potential additional design services that may occur during the construction of the project; and

WHEREAS, funding for design services for Head Start facilities Renovations at Brookfield, Arroyo Viejo, and Manzanita Head Starts Centers from the Bond Measure KK Fund (5330), Capital Project Management Organization (92270), Consultant Services Account (54411) in Head Start Facilities Renovation Projects (1003442, 1003443, 1003445); and

WHEREAS, Section 2.04.051 B of the Oakland Municipal Code, authorizes the City Council to waive the competitive Request for Proposals/Request for Qualifications (“RFP/RFQ”) selection requirement of Section 2.04.051 A of the Oakland Municipal Code upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of the critical schedule for project implementation; and

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

WHEREAS, the City Council finds that services under the contract will be temporary in nature shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement of Section 2.04.051(A) of the Oakland Municipal Code in order to expedite the completion of the design and construction support services for the Head Start facilities renovations at Brookfield, Arroyo Viejo, and Manzanita Centers and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to execute Amendment No. 2 to increase the agreement with Hibser Yamauchi Architects by an amount not-to-exceed seventy five thousand dollars (\$75,000.00), bringing the total contract amount from one hundred fifty thousand dollars (\$150,000.00) to two hundred twenty five thousand dollars (\$225,000.00); 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; and, be it

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

JUL 10 2018

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - ~~11/10/18~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID - 7

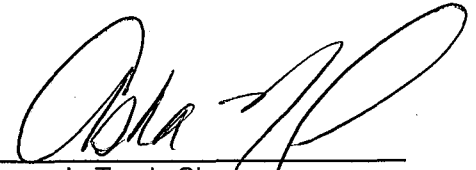
NOES - 0

ABSENT - 0

ABSTENTION - 0

1 Excused - Brooks

ATTEST: _____



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