


Celso Ortiz (Mar 21, 2024 08:07 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1. AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO EIGHT PROFESSIONAL SERVICES AGREEMENTS WITH 1) CDIM ENGINEERING, INC., 2) EKI ENVIRONMENT & WATER, INC., 3) HALEY & ALDRICH, INC., 4) NORTHGATE ENVIRONMENTAL MANAGEMENT, INC., 5) SCA ENVIRONMENTAL, INC., 6) TERRAPHASE ENGINEERING, INC., 7) TRC ENGINEERS, INC., AND 8) WEISS ASSOCIATES FOR AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) EACH AND FOUR MILLION DOLLARS (\$4,000,000.00) TOTAL FOR A THREE-YEAR PERIOD FROM JULY 1, 2024 THROUGH JUNE 30, 2027, WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL YEARS UNTIL JUNE 30, 2029; AND**
- 2. ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

WHEREAS, the City of Oakland (City) desires to comply with federal, state, and local environmental laws at properties that the City owns, operates, plans to acquire, or intends to dispose of; and

WHEREAS, compliance with federal, state, and local environmental laws is a critical component of the City's management of hazardous materials, operation of facilities/assets, protection of local waterways, routine maintenance operations, and redevelopment projects to revitalize the community; and

WHEREAS, the City requires the assistance of environmental professionals to analyze soil and groundwater contamination, design cleanup plans, monitor air emissions, test fuel tanks, develop stormwater pollution prevention plans, and perform other services related to the protection of human health and environmental resources, but the City lacks the equipment and qualified personnel to consistently perform such work; and

WHEREAS, the City needs to be able to respond quickly to deadlines associated with environmental laws and regulatory mandates, and such responsiveness is most effectively provided through as-needed professional services agreements; and

WHEREAS, the currently authorized agreements for as-needed environmental consulting services will expire on June 30, 2024; and

WHEREAS, through the City's competitive Request for Proposal process in accordance with Oakland Municipal Code section 2.04.051 for professional services contracts, the eight firms named in the title were identified as the most responsive and qualified firms to provide the desired professional services described herein; and

WHEREAS, the proposed as-needed contracts with the eight firms named in the title will comply with the Local/Small Local Business Enterprise program; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreements 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 Administrator is hereby authorized to negotiate and enter into professional services agreements for as-needed environmental consulting services with 1) CDIM Engineering, Inc., 2) EKI Environment & Water, Inc., 3) Haley & Aldrich, Inc., 4) Northgate Environmental Management, Inc., 5) SCA Environmental, Inc., 6) Terraphase Engineering, Inc., 7) TRC Engineers, Inc., and 8) Weiss Associates; and be it

FURTHER RESOLVED: That the work shall be assigned on an as-needed basis, with no minimum commitment, and the total amount of each agreement shall not exceed five hundred thousand dollars (\$500,000), for a total not to exceed four million dollars (\$4,000,000) for eight agreements, for a three-year period from July 1, 2024 through June 30, 2027, with an option to administratively extend for two additional years until June 30, 2029, without allocation of additional funds; and be it

FURTHER RESOLVED: That the City Administrator is authorized to conduct all negotiations and execute and submit all documents, including but not limited to agreements and payment requests, and to take any other action consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to execute additional professional services agreements to small and very small local businesses qualified through an annual prequalification process, which will be within the overall contract authority set forth herein. The contract amount for any new contracts will match the highest remaining contract capacity for the current vendors, and the contract length will be the remaining number of years left in the three-year term.

FURTHER RESOLVED: That the City Administrator is hereby authorized and empowered to approve any subsequent amendments to or extensions of said agreements 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 approved for form and legality by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the activities included in these agreements will be funded directly by City projects, on a project-by-project basis without prior commitment of funds, or by the City Facilities Fund (4400), Environmental Remediation Organization (30683), and in a Project and Account to be determined; and be it

FURTHER RESOLVED: That City Council has reviewed the proposed project and independently finds and determines that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That the City Administrator shall file a Notice of Determination/Exemption with the Clerk of the County of Alameda on the project named in this Resolution; and be it

FURTHER RESOLVED: That the agreements shall be reviewed and approved by the Office of the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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