

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

OFFICE OF THE CLERK  
2004 MAR 11 PM 12:38

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD, INC., TO PROVIDE DESIGN SERVICES FOR THE LAKE MERRITT MASTER PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000), BRINGING THE TOTAL CONTRACT AMOUNT TO ONE MILLION SEVEN HUNDRED FIFTY FOUR THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$1,754,885)**

**WHEREAS**, on May 8, 2001, City Council approved Resolution No. 76426 C.M.S. awarding a professional services contract to Wallace Roberts and Todd, Inc., to provide landscape architectural and related design services for the Lake Merritt Master Plan for an amount not to exceed \$504,885; and

**WHEREAS**, on March 31, 2003, Amendment No. 1 to the professional services contract with Wallace Roberts and Todd, Inc., was issued to extend the time of performance, and to authorize the performance of optional design services within the original contract amount of \$504,885; and

**WHEREAS**, in November 2002, the citizens of Oakland passed a general obligation bond (Measure DD) to provide, in part, funds for the implementation of the Lake Merritt Master Plan; and

**WHEREAS**, the renovation of the Municipal Boathouse project, and the streetscape, park, and roadway reconfiguration projects on Lakeside Drive, El Embarcadero, and Lakeshore Avenue are high priority projects with aggressive time schedules; and

**WHEREAS**, the firm of Wallace Roberts and Todd, Inc., provided estimated costs for detailed design work and construction documents for the projects outlined in the Lake Merritt Master Plan; and

**WHEREAS**, the City's original intent in the Lake Merritt Master Plan was to utilize the services of Wallace Roberts and Todd, Inc., to provide complete design services throughout the life of the Master Plan when funding became available; and

**WHEREAS**, the firm of Wallace Roberts and Todd, Inc., can efficiently and effectively provide design services based upon their demonstrated skills and their inherent familiarity with the details of the Lake Merritt Master Plan components; and

**WHEREAS**, specific funding of \$1,250,000 for the work to be performed by Wallace Roberts & Todd, Inc., is available under Fund 5320, Account 54411, Project Nos. C241910, C242110, C242310, and C242410; and

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**WHEREAS**, the City Council finds that the professional design services are exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; and

**WHEREAS**, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

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

**WHEREAS**, the City Council finds that services under this 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 service; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Manager, or her designee, to amend the existing agreement with Wallace Roberts and Todd, Inc., to provide design services for the Lake Merritt Master Plan for an amount not to exceed \$1,250,000 bringing the total contract amount to \$1,754,885; 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 contract with the exception of those related to an increase in the total dollar amount of the agreement, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

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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