

OFFICE

**OAKLAND CITY COUNCIL**

  
City Attorney

20081103 07

RESOLUTION No. 81312 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH ENSR CORPORATION IN AN AMOUNT UP TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000.00) FOR AS-NEEDED GENERAL ENVIRONMENTAL CONSULTING SERVICES FOR A THREE-YEAR PERIOD FROM JULY 1, 2008 THROUGH JUNE 30, 2011**

**WHEREAS**, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties that the City owns, plans to acquire, redevelop, or dispose of; and

**WHEREAS**, the City needs to be able to provide pre-demolition/renovation mitigation of identified environmental hazards at properties that the City owns, plans to acquire, redevelop, or dispose of; and

**WHEREAS**, the City needs to be able to provide environmental quality control services through construction monitoring, air monitoring, and laboratory services to support the City’s renovation and demolition projects at properties that the City owns, plans to acquire, redevelop, or dispose of; and

**WHEREAS**, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

**WHEREAS**, the City needs consultants that will interact with regulatory agencies, as the City’s technical expert, in negotiations regarding environmental investigation and remediation; and

**WHEREAS**, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

**WHEREAS**, through the City’s Request for Proposal and interview process, ENSR Corporation was rated as one of the top-ranked firms able to provide the services required; 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 directly or indirectly supports the City Council Goal to “Develop a Sustainable City”; 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 Administrator is hereby authorized to enter into an agreement for as-needed environmental consulting services with ENSR Corporation, under the direction of the City's Public Works Agency - Environmental Services Division, subject to the review and approval of the City Attorney; and be it

**FURTHER RESOLVED:** That the work shall be completed on an as-needed, work order basis and the total amount of the contract shall not exceed seven hundred fifty thousand dollars (\$750,000.00) for a three-year period from July 1, 2008 through June 30, 2011; and be it

**FURTHER RESOLVED:** That the City Administrator or his/her designee is hereby authorized and empowered 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 additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2008, 20    

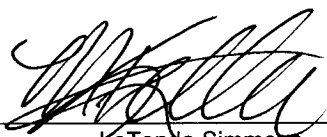
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, ~~BRUNNER~~, ~~CRANS~~, KERNIGHAN, NADEL, QUAN, REID, and  
~~PRESIDENT DE LA FUENTE~~ - 5

NOES - De La Fuente, Chang - 2

ABSENT - 0

ABSTENTION - Brunner - 1

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