

**OAKLAND CITY COUNCIL**  
RESOLUTION No. 78416 C.M.S.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2008 FEB 26 PM 2:27

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

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH AMPHION ENVIRONMENTAL FOR AS-NEEDED LANDSCAPE ARCHITECTURAL DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)**

**WHEREAS**, professional landscape architectural design services are needed to provide site surveying, site analysis, programming, design services and construction support services for various landscape architectural related projects; and

**WHEREAS**, as-needed landscape architectural design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, unscheduled projects will occur throughout the three-year period and will likely require landscape architectural design services; and

**WHEREAS**, it is anticipated that several Measure DD, Proposition 12, Proposition 40 and various funded capital improvement projects will utilize the as-needed services agreements; and

**WHEREAS**, the landscape architectural design services will be funded through the various individual projects and funds will be identified prior to the performance of the architectural design services; and

**WHEREAS**, fourteen firms responded to the City's Request for Proposals and Amphion Environmental was chosen as one of the top rated firms to provide the services; and

**WHEREAS**, the City wishes to enter into a contract with Amphion Environmental and the City Council finds that this contract is for services of a professional nature; and

**WHEREAS**, the City Council finds that the professional landscape architectural 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 that services under 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 services; now, therefore, be it

**RESOLVED:** That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Amphion Environmental to provide as-needed landscape architectural design services; and, be it

**FURTHER RESOLVED:** That the total amount of the Agreement is for an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years and is anticipated to cover the period from April 2004 to April 2007; 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 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 agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 16 2004, 2004

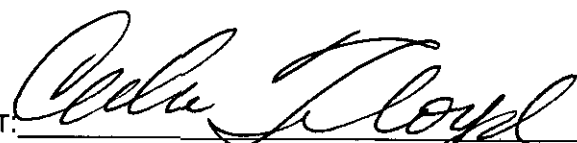
**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE -7

NOES- 0

ABSENT- BROOKS-1

ABSTENTION- 0

ATTEST:   
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California