

City Attorney's Office

2020 AUG -7 AM 9:51
OAKLAND CITY COUNCIL

OAKLAND CITY COUNCIL

RESOLUTION NO. 88241 C.M.S.

INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WOOD RODGERS FOR CONSULTING SERVICES AND CONSTRUCTION SUPPORT FOR THE 42ND AVENUE AND HIGH STREET ACCESS IMPROVEMENT PROJECT (CITY PROJECT NO. 1003983) FOR AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND TWENTY FIVE THOUSAND DOLLARS (\$525,000) AND TO WAIVE THE COMPETITIVE REQUEST FOR QUALIFICATIONS/PROPOSAL ("RFQ/P") REQUIREMENT.

WHEREAS, the 42nd Avenue and High Street Access Improvements Project will improve vehicular and pedestrian circulation and access at I-880; and

WHEREAS, the 42nd Avenue and High Street Access Improvements Project is scheduled for completion by the spring of 2023, and final preparation of construction documents and environmental requirements to be completed by September 2021; and

WHEREAS, Wood Rodgers was selected under on-call consultant services in 2014 to provide engineering and design services for the 42nd Avenue and High Street Access Improvements Project; and

WHEREAS, significant part of the project is within Caltrans right-of-way and was delayed due to staff turnover, and long Caltrans permit and certification process; and

WHEREAS, the City lacks the qualified personnel to perform the necessary work, and the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the additional work will be funded by the following source:
Department of Transportation Measure KK Fund, 2nd Tranche (5332), Project No.1003983, Organization CIP- Capital Projects 92246, Expense Architectural and Engineering Services 54411, Task 5.0, Award 23686.

WHEREAS, the City Council finds and determines that the performance of this additional work shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, Section 2.04.051.A. of the Oakland Municipal Code ("OMC") requires a competitive Request For Qualifications/Proposal ("RFQ/P") for the purchase of professional services in excess of \$50,000; and

WHEREAS, OMC section 2.04.050 B. provides that the City Council may waive the RFQ/P requirement of Section 2.04.051 A. upon a finding that it is in the best interests of the City to do so; and

WHEREAS, staff requests the Council to waive the RFQ/P requirement because t it is in the best interest of the City to continue to retain Wood Rodgers for the additional consultant services to avoid any delay to the project, avoid the need to conduct any further RFQ/P competitive selection process and change consultants in the middle of the project development process; now therefore, be it

RESOLVED: That the Council hereby finds and determines that, from a liability and practical perspective and based on the circumstances set forth in the Agenda Report which accompanies this Resolution, it is in the best interest of the City to waive the competitive Request For Proposal selection requirements of the OMC and enter into a professional services agreement with Wood Rodgers to provide consultant services for the 42nd Avenue and High Street Access Improvements Project (City Project No. 1003983) for an amount not to exceed \$525,000; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to execute any amendments, or modifications of said agreement without further City Council approval, except for increases in the agreement amount; and be it

FURTHER RESOLVED: That the agreement shall be approved for form and legality by the City Attorney, and a copy of the agreement shall be kept on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 28 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California