

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 MAY 31 PM 5:13

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: June 13, 2006

RE: **Resolution Authorizing Amendment No. 1 To Increase The Not-To-Exceed Amounts Of Professional Services Agreements Previously Awarded For As-Needed Creek Restoration Design Services And Related Technical Assistance, As Follows: To Moffatt & Nichol Engineers, An Increase From \$200,000 To \$350,000; To Wolfe Mason Associates, Inc., An Increase From \$200,000 To \$350,000; To WRECO, An Increase From \$200,000 To \$350,000; To Jones And Stokes Associates, An Increase From \$250,000 To \$400,000, And; To Amphion Environmental, An Increase From \$250,000 To \$400,000.**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to amend the professional services agreements with Amphion Environmental, Inc., Jones and Stokes Associates, Moffatt & Nichol Engineers, Wolfe Mason Associates, and WRECO to provide additional creek restoration design services, technical assistance, and construction support services for Measure DD projects approved by City Council in Resolution No. 77965 C.M.S. in July 2003 and No. 79649 C.M.S., in December 2005 (See Attachments A and B). Each of the five contracts will be increased for an amount not to exceed \$150,000 bringing the total amounts for each contract to \$350,000 for Wolfe Mason Associates, WRECO, and Moffatt & Nichol Engineers, and to \$400,000 for Jones and Stokes Associates and Amphion Environmental, Inc. All five contracts are three-year agreements. The Wolfe Mason Associates, WRECO, and Moffatt & Nichol Engineers contracts expire in the summer of 2007. The Amphion Environmental, Inc. and Jones and Stokes Associates contracts expire in the summer of 2008.

The additional creek restoration design services and technical assistance are required in order to complete the designs for eight Measure DD projects in a timely manner and to expedite the expenditure of the Measure DD, Series 2003A funds. Seven of the eight projects are Creek Restoration, Watershed Preservation, and Lake Merritt Water Quality projects that were recently approved by City Council in December 2005. Additionally, the increase in the above contracts will provide contract capacity for unscheduled, urgent projects during the next year, such as repair of sewers that impact creeks. Staff will begin a new Request For Proposal (RFP) process for as-needed creek restoration design services and technical assistance in the fall of 2006.

The Measure DD projects are consistent with the Mayoral and Council Citywide Objective to "Develop a Sustainable City" by "maximizing socially and environmentally sustainable economic growth, including conserving natural resources." It is also consistent with the Mayoral

Item: _____
Public Works Committee
June 13, 2006

and Council Citywide Objective to “Build and Foster Livable Neighborhoods” by providing for “clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees.”

FISCAL IMPACT

The amendments to the five professional services agreements with Wolfe Mason Associates, Moffat & Nichol Engineers, WRECO, Jones and Stokes Associates, and Amphion Environmental are for an amount not to exceed \$150,000 each, totaling \$750,000. The amendments to these contracts will not result in additional appropriation of funds. Funds for each of the projects were previously appropriated by City Council in Resolution No. 77965 C.M.S. in July 2003 (Attachment A) and budgeted for the projects listed.

Funding for the additional contract amounts will be provided by the Measure DD Fund (5320); Capital Environmental Services Organization (92280); Creek Restoration Project (C244810); Watershed Preservation and Acquisition Project (C244910); Lake Merritt Water Quality Project (C241710); and Capital Project Management Organization (92270); Derby to Lancaster St. Waterfront Project (C243510); and 66th Ave. Gateway Project (C244310). Funds previously authorized by City Council will be used to fund unscheduled urgent capital improvement projects.

The design of these projects will take into consideration maintenance costs in order to minimize the maintenance requirements.

In accordance with City policy, Contract Compliance and Public Art assessment fees are assessed and allocated from the respective Measure DD funded projects.

BACKGROUND

In September 2003, the City issued a Request for Proposals (RFP) for as-needed creek restoration design services and technical assistance for projects funded by Measure DD and unscheduled, urgent projects. As-needed professional services agreements allow the City to promptly respond to and provide the necessary design services, technical studies, and construction support services in an efficient and timely manner. Fourteen firms responded to the RFP and six firms were selected as the most qualified to provide creek restoration design services and technical assistance. All six of these firms are either local or small local Oakland businesses.

On March 16, 2004, City Council approved five three-year professional services agreements for as-needed creek restoration design services and technical assistance for an amount not to exceed \$200,000. The firms that received contracts are Moffatt and Nichol Engineers, Resolution No. 78412 C.M.S., Wolfe-Mason Associates, Inc., Resolution No. 78410 C.M.S., and WRECO,

Resolution No. 78409 C.M.S. and Kleinfelder, Inc., Resolution No. 78408 C.M.S. (an increase to the Kleinfelder Inc. contract was previously approved by Council on April 4, 2006, in Resolution No. 79822 C.M.S. Attachment C) Questa Engineering was one of the five firms approved, but was unable to meet contract compliance requirements and therefore never received a contract.

In May 2005, staff returned to City Council for authorization to enter into two additional three-year professional services agreements for as-needed creek restoration design services and technical assistance with Amphion Environmental, Inc., Resolution No. 79195 C.M.S. and Jones and Stokes Associates, Resolution No. 79196 for an amount not to exceed \$250,000. Additional design services were needed because Questa Engineering was unable to meet contract compliance requirements and due to additional Measure DD project design needs. (See Attachment D1-D6 for contract Resolutions)

To date, these contracts have been used for the following projects:

- Creek Restoration and Watershed Preservation project site assessments (Districts 1-7)
- Cryer site (Council District 5),
- Lake Merritt Bird Islands (Council District 3),
- Arroyo Viejo Creek Restoration at Knowland Park/Oakland Zoo (Council District 7),
- Chimes Creek sewer repair and bank stabilization (Council District 6), and
- Lion Creek Restoration at Coliseum Gardens (Council District 6)
- 66th Avenue Gateway (Council District 7)

The following is a list of the eight projects that require additional design services. Funds for each of the projects were previously appropriated by City Council in Resolution No. 77965 C.M.S. in July 2003 (Attachment A):

Waterfront Trail Project:

Derby Avenue to Lancaster Street (Council District 5) Provide a trail connection from Derby Avenue to Lancaster Street behind the Oakland Museum Women's Board warehouse. The trail will connect with the existing trails. The trail will include landscaping and seating areas for viewing the estuary.

Creek Restoration and Preservation Projects:

North Oakland Sports Center Trail Network Creek Crossings (Council District 1) Development of erosion treatment options to improve creek health and trail crossing.

Claremont Creek Restoration at Garber Park (Council District 1) Removal of non-native vegetation and installation of riparian vegetation and habitat improvements.

Glen Echo Creek at Oak Glen Park and 3020 Richmond Avenue (Council District 3) Removal of non-native vegetation, bank stabilization and improvement of habitat and water quality through installation of native plant habitat and in-creek pools.

Peralta Creek Restoration at Butters Canyon (Council District 4) Removal of non-native vegetation and revegetation of the banks with native riparian vegetation.

Sausal Creek at Dimond Park (Council District 4) Hydrological restoration and bank stabilization involving removal of a failing concrete spillway, repair of eroding banks that threaten bank stability of and expansion of trout habitat.

Shepherd Creek at Shepherd Canyon Creek (Council District 4) Removal of non-native vegetation, installation of native vegetation, and creek trail improvements.

Lake Merritt Water Quality Project

Lake Merritt Water Quality Treatment Technology Implementation Plan (Council District 3) Development of an implementation plan for water quality treatment technologies at Lake Merritt.

KEY ISSUES AND IMPACTS

The Measure DD, Series 2003A funds for each of the eight projects listed above was appropriated by City Council pursuant to Resolution No. 77965 C.M.S., in July 2003 and Resolution No. 79649 C.M.S., in December 2005 (Attachment A and B). These funds must be spent as soon as possible in order for the second bond sale to occur. Increasing the as-needed creek restoration design services and technical assistance contracts will expedite the expenditure of the first Measure DD bond sale while hastening the implementation of the Measure DD projects listed above. Seven of the eight projects were recently approved by City Council in December 2005. Amphion Environmental, Inc., Jones and Stokes Associates, Moffatt and Nichol Engineers, Wolfe-Mason Associates, Inc., and WRECO, are satisfactorily meeting the agreed upon deliverables and will provide the most expedient, efficient and cost effective design services required to complete these Measure DD projects.

Additionally, unscheduled urgent projects that arise over the next year will be able to utilize these contracts for fast turn around for the necessary design services, technical studies, and construction support.

No further amendments to these five contracts are anticipated. Staff will initiate a new RFP process for creek restoration design services and technical assistance in the fall of 2006. The RFP process requires a minimum of 120 workdays to complete pursuant to the established Contract

Administration process. The new as-needed contracts will be brought to City Council for approval in 2007.

Each of the five firms has met the LBE/SLBE requirements. This has been verified by the Contract Compliance Division of the City Administrator's Office and is shown in Attachment E.

SUSTAINABLE OPPORTUNITIES

Economic: The projects will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. Local businesses will be utilized on the projects and will benefit directly.

Environmental: The projects will protect and improve our creeks, wetlands, and Lake Merritt. Water quality will be improved, and wildlife habitat enhanced.

Social Equity: The proposed design services to the various projects will enhance the usage and quality of waterways in all parts of Oakland. Watershed-based planning of these projects will improve the social connections between the upstream and downstream neighborhoods.

DISABILITY AND SENIOR CITIZEN ACCESS

The consultant will be required to design the City facilities in full compliance with the Americans with Disabilities Act (ADA). The new contiguous pathways around the creek and park will be smooth and will improve access for seniors and persons with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the resolution authorizing the City Administrator, or her designee, to amend the professional services agreements with Amphion Environmental, Jones and Stokes Associates, Moffatt and Nichol Engineers, Wolfe-Mason Associates, Inc., and WRECO be approved.

Each contract will be increased in the amount not to exceed \$150,000, bringing the total contract amounts to \$350,000 for Moffatt and Nichol Engineers, Wolfe Mason Associates, and WRECO, and \$400,000 for Jones and Stokes Associates and Amphion Environmental. The additional design services are required for the timely and efficient implementation of Measure DD projects previously approved by City Council. The additional design services will also expedite the design of urgent, unscheduled capital improvement projects over the next 12 months. The time and costs currently expended in selecting consultants on a project-by-project basis will be reduced. Staff will conduct another RFP process for as-needed creek restoration and technical assistance contracts in fall of 2006. The new as-needed contracts will be brought to City Council for approval in 2007.

If the amendments to the as-needed creek restoration and technical assistance contracts are not granted, design of the Measure DD projects listed above would result in a delay of a minimum of six months. Additionally, the timely expenditure of Measure DD funds will also be delayed.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve this resolution.

Respectfully submitted,

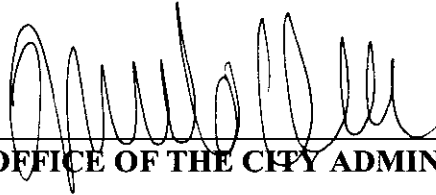


RAUL GODINEZ, II, P.E.
Director, Public Works Agency

Reviewed by:
Brooke A. Levin, Assistant Director
Department of Facilities and Environment

Prepared by:
Lesley Estes
Watershed Program Supervisor
Environmental Services Division

**APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE**



OFFICE OF THE CITY ADMINISTRATOR

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY AGENCY MEMBER _____ 2003 JUL -2 PM 5:07

Michael S. ...
CITY ATTORNEY

OAKLAND CITY COUNCIL

REVISED

RESOLUTION NO. 77965 M. S.

RESOLUTION AUTHORIZING THE APPROPRIATION OF SEVENTY MILLION FIVE HUNDRED SEVENTY NINE THOUSAND DOLLARS (\$70,579,000) DURING FY 2003-04 IN OAKLAND TRUST FOR CLEAN WATER AND SAFE PARKS (MEASURE DD) SERIES A GENERAL OBLIGATION BONDS

WHEREAS, on November 5, 2002, Oakland overwhelmingly passed with 80% voter approval the "Oakland Trust for Clean Water and Safe Parks," a \$198,250,000 general obligation bond authorizing the City to sell bonds to raise funds for a variety of parks, clean water protection and youth recreation projects; and

WHEREAS, the City intends to issue Measure DD general obligation bonds in three issuances (Series 2003A, Series 2006B, and Series 2010C); and

WHEREAS, funding from the issuance of the Series 2003A general obligation bonds in the amount of \$70,579,000 (the "Series 2003 proceeds") will be available in FY 2003-04; and

WHEREAS, \$31,600,000 of the Series 2003 proceeds, is designated for Lake Merritt Improvement Projects; and

WHEREAS, \$19,279,000 of the Series 2003 proceeds, is designated for Estuary Access, Parks and Clean-up Projects; and

WHEREAS, \$4,000,000 of the Series 2003 proceeds, is designated for Lake Merritt to Estuary Connection (Lake Merritt Channel) improvements; and

WHEREAS, \$11,000,000 of the Series 2003 proceeds, is designated for Youth and Public Recreation Facilities Projects; and

WHEREAS, \$4,700,000 of the Series 2003 proceeds, is designated for Creeks and Waterways Restoration Projects; and

WHEREAS, the City's standard contract compliance fee of 3% on professional service and construction contracts has been reduced to 1 1/2% to reflect actual staffing costs need to monitor contract compliance requirements for the Measure DD projects;

NOW THEREFORE, BE IT RESOLVED: that the City Council hereby appropriates \$70,579,000 in FY 2003-04 in Measure DD funds (Fund 5230) as follows:

LAKE MERRITT	
12th Street	\$9,500,000
Storm drain filters, trash barriers, aeration, etc.	\$1,000,000
Children's Fairyland	\$3,000,000
Restore Municipal Boathouse **	\$6,500,000
Renovate and restore Lakeside Park Sailboat House	\$1,250,000
Improve and Renovate maintenance facilities, landscaping, docks, restrooms, furnishings and signage	\$3,350,000
Repair Lake Merritt Retaining Walls	\$2,000,000
Widen and Improve pedestrian and bicycle paths and lanes	\$3,000,000
Reconfigure El Embarcadero roadways for safer pedestrian and traffic access	\$2,000,000

ESTUARY WATERFRONT ACCESS, PARKS AND CLEAN-UP	
Estuary Park	\$2,080,000
10 th Avenue Marina	\$200,000
Brooklyn Basin and Marine Max	\$2,700,000
Brooklyn Basin to Embarcadero Cove	\$235,000
Livingston Pier	\$340,000
Cryer Site	\$1,450,000
Union Point to Con Agra	\$4,000,000
Park Street Bridge	\$300,000
Park Street Triangle	\$46,000
Pier 29 Restaurant	\$1,200,000
Derby Street Park	\$268,000
Oakland Women's Museum	\$580,000
Lancaster Street to Fruitvale Bridge	\$130,000
Fruitvale Bridge	\$900,000
Fruitvale Bridge to Alameda Avenue	\$200,000
US Audio	\$1,100,000
High Street Bridge	\$300,000
Gallagher and Burke/ Hansen Aggregate	\$350,000
66 th Avenue Gateway	\$2,000,000
Remediation	\$900,000

LAKE MERRITT TO ESTUARY CONNECTION (LAKE MERRITT CHANNEL)	
Relocation of flood control barrier at 7th street to improve water flow and provide boat and pedestrian access	\$4,000,000

YOUTH AND PUBLIC RECREATION FACILITIES	
East Oakland Aquatic, Sports and Recreation Facility	\$1,000,000
Studio One	\$10,000,000

CREEKS AND WATERWAYS RESTORATION	
Creek Restoration Projects	\$1,700,000
Acquisition of Watershed Protection Easements	\$3,000,000

AND BE IT RESOLVED: That of the total \$70,579,000 project appropriation, up to 5% will be allocated for indirect program administration costs including the Community and Economic Development Agency Measure DD Program Manager; the Public Works Agency Measure DD Project Manager; contract services, cost of issuance and contract compliance fees; and be it,

FURTHER RESOLVED: That the City Attorney's Office has reviewed this resolution as to form and legality and a copy is kept on file with the City Clerk.

JUL 15 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, CHANG, BROOKS, NADEL, REID, WAN, QUAN AND
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

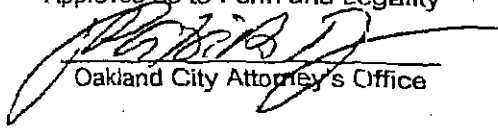


CEDA FLOYD
City Clerk and Clerk of the Council

OFFICE OF THE CITY CLERK
OAKLAND

2005 NOV 28 PM 2:50

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 79649 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE EXPENDITURE OF PREVIOUSLY APPROPRIATED AND ALLOCATED FUNDS IN THE AMOUNT OF \$1,000,000 FOR PHASE II OF THE IMPLEMENTATION PLANS FOR THE OAKLAND TRUST FOR CLEAN WATER AND SAFE PARKS, MEASURE DD, CREEK RESTORATION, WATERSHED PRESERVATION AND ACQUISITION, AND LAKE MERRITT WATER QUALITY PROGRAMS

WHEREAS, the Oakland Trust for Clean Water and Safe Parks, (Measure DD) was passed in November 2002 with 80% voter approval; and

WHEREAS, Measure DD provides \$5.5 million for Creek Restoration, \$4.5 million for Watershed Preservation and Acquisition, and \$4.5 million for Lake Merritt Water Quality Programs; and

WHEREAS, the Measure DD, Series 2003A Bond sale in August 2003 provided \$1.7 million for the Creek Restoration Program, \$3 million for the Watershed Preservation and Acquisition Program, and \$1 million for the Lake Merritt Water Quality Program, which have already been appropriated and allocated by City Council; and

WHEREAS, Council previously approved the Phase I Implementation Plans for the Creek Restoration Program, the Watershed Preservation and Acquisition Program, and the Lake Merritt Water Quality Program; and

WHEREAS, prioritized lists of properties for both the Creek Restoration and Watershed Preservation and Acquisition Programs have been developed based on the previously approved prioritization criteria and prioritization process; and

WHEREAS, the Lake Merritt Water Quality Technical Committee, comprised of staff from the City of Oakland, City of Piedmont, Alameda County, the Coastal Conservancy, and the Lake Merritt Institute, was formed in December of 2000 to develop a plan to research and identify technical alternatives to address the excess trash and nutrient enrichment/low dissolved oxygen levels in Lake Merritt; and

WHEREAS, the Creek Restoration Program Phase II Implementation Plan calls for the adoption of the Prioritized Creek Restoration Project List Creek and the expenditure of \$630,000 from Project: C244810, previously appropriated and allocated by City Council, to

be dedicated for design development of up to six projects and immediate implementation of one restoration project; and

WHEREAS, the Watershed Preservation and Acquisition Program Phase II Implementation Plan calls for the adoption of the Prioritized Watershed Preservation and Acquisition Project List and the expenditure of \$190,000 from Project: C244910, previously appropriated and allocated by City Council, to be dedicated to completing due diligence for top priority sites; and

WHEREAS, the Lake Merritt Water Quality Program Phase II Implementation Plan calls for the expenditure of \$180,000 from Project: C241710, previously appropriated and allocated by City Council, to be dedicated to a pilot Restorer project, a pilot tide-flap project, and "Please Don't Feed the Birds" signage at Lake Merritt; and

WHEREAS, staff will return to the City Council for the approval of the remaining Measure DD, 2003 Series A funds for the Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs; and

WHEREAS, the Phase II Implementation Plans for the Measure DD Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs will further advance Mayor/City Council goals and objectives: #1 (Develop a Sustainable City) and #2 (Build Community and Foster Livable Neighborhoods); now, therefore be it

RESOLVED: that the City Council approves the Phase II Implementation Plans for the Measure DD Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs;

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 20 2005, 2005

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE - 7

NOES - *Brunner* - 1

ABSENT - *Ø*

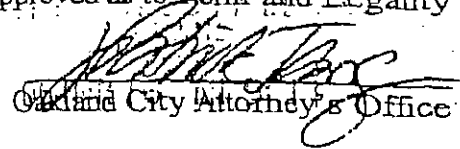
ABSTENTION - *Ø*

ATTEST:

Latonda Simmons
LATONDA SIMMONS

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

Approved as to Form and Legality


Oakland City Attorney's Office

05 MAR 18 11 9: 11

OAKLAND CITY COUNCIL

79822

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC., FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000), BRINGING THE TOTAL CONTRACT AMOUNT TO SIX HUNDRED THOUSAND DOLLARS (\$600,000)

WHEREAS, on March 9, 2004, City Council approved Resolution No. 78408 C.M.S. awarding a professional services contract to Kleinfelder, Inc., to provide professional hydrology and creek restoration design services for various city projects related to creeks, storm drains, wetland, and Lake Merritt for an amount not to exceed \$200,000; and

WHEREAS, on June 23, 2005, Amendment No. 1 to the professional services contract with Kleinfelder, Inc., was entered into to replace the contract's indemnification article; and

WHEREAS, additional technical assessment is now required as the result of unforeseen technical issues that need to be resolved to create an appropriate restoration design; and

WHEREAS, the additional technical assessment resulted in a delay in the project implementation timeline; and

WHEREAS, Kleinfelder, Inc., can provide the most efficiency and cost effectiveness in completing the work by incorporating the additional work into the already established hydrological models and creating the most appropriate design solutions; and

WHEREAS, funding for the work to be performed by Kleinfelder, Inc., is budgeted from a \$300,000 grant from the California State Parks Foundation, Habitat Conservation Fund (Org 92280, Fund 2134), and \$500,000 in designated funding from Measure DD (Fund 5320) Creek Restoration Projects (C244810); and

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, scientific or technical nature; 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 service; now therefore be it

RESOLVED: that the City Administrator, or her designee, is hereby authorized to amend the existing agreement with Kleinfelder, Inc., to provide additional hydrology and creek restoration design services for the Lion Creek Restoration Project for an amount not to exceed \$400,000, bringing the total contract amount to \$600,000; and be it

FURTHER RESOLVED: that the City Administrator, 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 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, APR 4 2005, 2006

PASSED BY THE FOLLOWING VOTE:

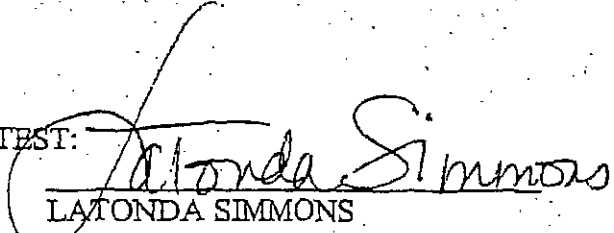
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS

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

OAKLAND CITY COUNCIL

RESOLUTION NO. 79195 C. M. S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2005 APR 14 PM 12:17

INTRODUCED BY COUNCILMEMBER _____

Robert V. Cisneros

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH AMPHION ENVIRONMENTAL, INC., FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and the waterfront; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur from time to time and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Amphion Environmental, Inc. was chosen in the top seven rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Amphion Environmental, Inc. and the City Council finds that this contract is for services of a professional nature; 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 Administrator, or her designee, is hereby authorized to enter into an Agreement with Amphion Environmental, Inc. to provide as-needed hydrology and creek restoration 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 City Administrator, or her designee, is hereby authorized 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 filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the agreements 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, MAY 03 2005, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID ~~AND~~

~~PRESIDENT DELAFUENTE~~ - 6

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED - President DeLaFuente - 1

ATTEST:

LaTonda Simmons
LaTonda Simmons
Interim City Clerk and Interim Clerk of the
Council of the City of Oakland, California

OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. 79196

2005 APR 14 PM 2: 04
C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Richard S. ...

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH JONES & STOKES, FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and the waterfront; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur from time to time and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Jones & Stokes was chosen in the top seven rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Jones & Stokes and the City Council finds that this contract is for services of a professional nature; 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 Administrator, or her designee, is hereby authorized to enter into an Agreement with Jones & Stokes to provide as-needed hydrology and creek restoration 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 City Administrator, or her designee, is hereby authorized 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 filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the agreements 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, MAY 03 2005, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID ~~AND~~

~~PRESIDENT DELAFUENTE~~ - 6

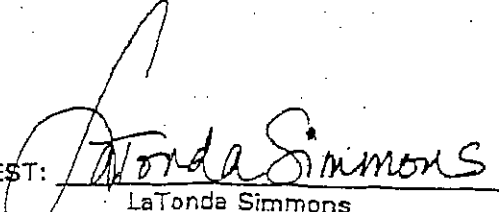
NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED - President DeLaFuente - 1

ATTEST:


LaTonda Simmons

Interim City Clerk and Interim Clerk of the Council of the City of Oakland, California

RESOLUTION NO. 78412 = C.M.S.

INTRODUCED BY COUNCILMEMBER _____

OFFICE OF THE CITY CLERK
OAKLAND*Roc. V. Q...*
2004 FEB 26 PM 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MOFFATT & NICHOL ENGINEERS FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Moffatt & Nichol Engineers was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Moffatt & Nichol Engineers and the City Council finds that this contract is for services of a professional nature; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Moffatt & Nichol Engineers to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); 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

RESOLUTION No. _____ C.M.S. _____

INTRODUCED BY COUNCILMEMBER _____

- 78410 =

OFFICE OF THE CITY CLERK
LANDREV. [Signature] PH 2:27
2004 FEB 26

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WOLFE MASON ASSOCIATES, INC. FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

WHEREAS, fourteen firms responded to the City's Request for Proposals and Wolfe Mason Associates, Inc. was chosen as one of the top rated firms to provide the services; and

WHEREAS, the City wishes to enter into a contract with Wolfe Mason Associates, Inc. and the City Council finds that this contract is for services of a professional nature; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Wolfe Mason Associates, Inc. to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); 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:

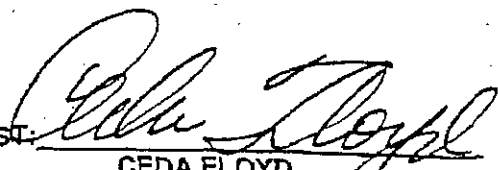
AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE -7

NOES- 0

ABSENT- BROOKS-1

ABSTENTION- 0

ATTEST:


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

RESOLUTION NO. 78409 = C.M.S.OFFICE OF THE CITY CLERK
RECEIVED
FEB 26 PH 2:27

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WRECO FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

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

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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Wreco to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); 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:

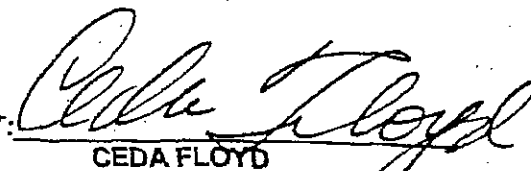
AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE -7

NOES- 0

ABSENT- BROOKS-1

ABSTENTION- 0

ATTEST:



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

RESOLUTION NO. 78408 = C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

INTRODUCED BY COUNCILMEMBER _____

Leet O...
FEB 26 PM 2:27

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR AS-NEEDED HYDROLOGY AND CREEK RESTORATION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)

WHEREAS, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and Lake Merritt; and

WHEREAS, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, unscheduled projects occur throughout the three-year period and will most likely require hydrology and creek restoration design services; and

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

WHEREAS, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

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

WHEREAS, the City wishes to enter into a contract with Kleinfelder, Inc. and the City Council finds that this contract is for services of a professional nature; 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

WHEREAS, the City Council finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I 1 of the Oakland Municipal Code; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into an Agreement with Kleinfelder, Inc. to provide as-needed hydrology and creek restoration design services; and, be it

FURTHER RESOLVED: That the total amount of the Agreement is for an amount not to exceed Two Hundred Thousand Dollars (\$200,000); 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:

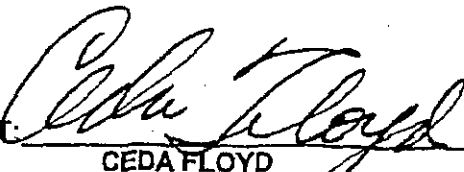
AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE -7

NOES- 0

ABSENT- BROOKS-1

ABSTENTION- 0

ATTEST:



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



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick
 From: Vivian Inman, Contract Compliance Officer, CC&ES Division
 Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*
 CC: Alison Schwarz
 Date: May 1, 2006
 Re: **Compliance Analysis: As Needed Hydrology & Creek Restoration Design Services Amendment 1 (Revision)**

Contract Compliance & Employment Services received a request from the Public Works Agency to perform an updated compliance evaluation on the above referenced contract amendment. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and review for compliance with the Equal Benefits Ordinance.

The L/SLBE findings are as follows:

	Company Name	Bid Amount (If Applicable)	Proposed Participation				Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)
			Total L/SLBE	LBE	SLBE	Trucking	Bid Discounts	Adjusted Bid Amount	Points		
1	Amphion Environmental	NA	65%	0%	65%	NA	NA	N/A	5	2	Y
2	Jones & Stokes	NA	95%	55%	40%	NA	NA	NA	5	2	Y
3	Moffatt & Nichol	NA	35%	0%	35%	NA	NA	NA	3	0	Y
4	Wolfe Mason	NA	60%	15%	45%	NA	NA	NA	5	0	Y
5	WRECO	NA	58%	45%	13%	NA	NA	NA	2	0	Y

Amphion Environmental reported 65% SLBE participation, and was credited with 65%; Jones & Stokes reported 55% LBE participation and 40% SLBE participation, and was credited with 80%; Moffatt & Nichol reported 35% SLBE participation and was credited with 35%; Wolfe Mason reported 15% LBE and 45% SLBE and was credited with 60%; WRECO reported 45% LBE and 13% SLBE and was credited with 26%.

Firms that are not EBO compliant will be required to come into compliance.

If you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer, at 238-6261.

LBE/SLBE Participation Amphion Environmental

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:						For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE %	SLBE %	LBE/SLBE %	TOTAL Percentage	Ethn.	MBE	WBE
PRIME Hydrology Geology Biology Electrical Engineering Subconsultant	Amphion Environmental	Oakland	CB		55%	55%	55%	C		55%
	Schaff & Wheeler	Oakland	UB				10%	NL	10%	
	Lowney & Associates	Oakland	CB	10%		10%	10%	C		
	HT Harvey & Associates	San Jose	UB				10%	C		
	Harry Yee & Associates	Sacramento	UB				5%	A		
	Concept Marine Associates	Unknown	UB				10%	NL		
Project Totals				10%	55%	65%	100%		10%	55%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

LBE/SLBE Participation Jones & Stokes

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:								
Discipline	Prime & Subs	Location	Cert. Status	LBE %	SLBE %	LBE/SLBE %	TOTAL Percentage	For Tracking Only		
								Ethn.	MBE	WBE
PRIME	Jones & Stokes	Oakland	CB	55%		55%	55%	C		
Subconsultant	Advanced Resource Ltd.	Oakland	CB		15%	15%	15%	C		
Subconsultant	Chow Engineering	Oakland	CB		15%	15%	15%	AP	15%	
Subconsultant	PLS Surveys, Inc.	Oakland	CB		10%	10%	10%	C		10%
Subconsultant	Phillip Williams & Associates	San Francisco	UB				5%	NL		
Project Totals				55%	40%	95%	100%		15%	10%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise					

LBE/SLBE Participation Moffatt & Nichol

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:										
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LBE/SLBE	TOTAL	For Tracking Only				
				%	%	%	Percentage	Ethn.	MBE	WBE		
PRIME	Moffatt & Nichol	Oakland	UB				40%	C				
Bio-Engineering	Farwest Restoration	Alameda	UB				15%	C				
Surveying	PLS Surveys	Oakland	CB		15%	15%	15%	C		15%		
Land.Arch.	Wolfe Mason & Assoc.	Oakland	CB		20%	20%	20%	C				
Biology Envi.	LSA Associates	Unknown	UB				10%	C				
Project Totals				0%	35%	35%	100%		0%	15%		
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

LBE/SLBE Participation Wolfe Mason Associates

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:						For Tracking Only		
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	LBE/SLBE	TOTAL	Ethn	MBE	WBE
			Status	%	%	%	Percentage			
PRIME Engineering Hydrology Hydrology Geomorphology Geotechnical Engineering Biology, Natural & Cultural Resources Civil Engineering Irrigation Design	Wolfe Mason	Oakland	CB		45%	45%	45%	C		
	Kamman Hydrology & Engineering	San Rafael	UB				10%	C		10%
	Philip Williams & Associates	San Francisco	UB				15%	NL		
	Lowney & Associates	Oakland	CB	5%		5%	5%	C		
	Garcia & Associates	San Francisco	UB				5%	H		
	TranSystems Corporation	Oakland	CB	10%		10%	10%	C		
	David Widelock	Oakland	UB				10%	C		
	Project Totals				15%	45%	60%	100%		0%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

LBE/SLBE Participation WRECO

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:								
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	LBE/SLBE	TOTAL	For Tracking Only		
			Status	%	%	%	Percentage	Ethn.	MBE	WBE
PRIME Creek Restoration	WRECO	Oakland	CB	40%		40%	40%	AP	40%	
	Far West Restoration Engineering	Alameda	UB				10%	C		
Civil Engineering Surveying Civil Eng.	High Quality Engineering	Oakland	CB		5%	5%	5%	C		
	TY Lin International	Oakland	CB	5%		5%	5%	AP	5%	
Creek Restoration	Restoration Design Group	San Francisco	UB				20%	NL		
Geotechnical & Environmental	Northgate Environmental Management	Oakland	CB		5%	5%	5%	C		
Biological & Wetland	Laurel Marcus & Associates	Oakland	CB		3%	3%	3%	C		3%
Geology & Earth Science	William Lettis & Associates	Oakland	UB				12%	C		
Project Totals				45%	13%	58%	100%		45%	3%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

2006 MAY 31 PM 5:13

INTRODUCED BY COUNCILMEMBER _____



RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO INCREASE THE NOT-TO-EXCEED AMOUNTS OF PROFESSIONAL SERVICES AGREEMENTS PREVIOUSLY AWARDED FOR AS-NEEDED CREEK RESTORATION DESIGN SERVICES AND RELATED TECHNICAL ASSISTANCE, AS FOLLOWS: TO MOFFATT & NICHOL ENGINEERS, AN INCREASE FROM \$200,000 TO \$350,000; TO WOLFE MASON ASSOCIATES, INC., AN INCREASE FROM \$200,000 TO \$350,000; TO WRECO, AN INCREASE FROM \$200,000 TO \$350,000; TO JONES AND STOKES ASSOCIATES, AN INCREASE FROM \$250,000 TO \$400,000, AND; TO AMPHION ENVIRONMENTAL, AN INCREASE FROM \$250,000 TO \$400,000.

WHEREAS, on March 16, 2004, City Council approved Resolution Nos. 78412, 74810, and 78409 C.M.S. awarding professional services contracts to Moffatt and Nichol Engineers, Wolfe Mason Associates, Inc., and WRECO each for an amount not to exceed \$200,000; and on May 3, 2005, approved Resolution Nos. 79195 and 79196 C.M.S. awarding professional services contracts to Amphion Environmental, Inc. and Jones and Stokes Associates each for an amount not to exceed \$250,000 to provide as-needed creek restoration design services and technical assistance for various city projects related to creeks, storm drains, wetland, and Lake Merritt; and

WHEREAS, additional as-needed creek restoration design services and technical assistance are required in order to complete previously approved Measure DD Waterfront Trail and Creek Restoration, Watershed Preservation and Lake Merritt Water Quality projects; and

WHEREAS, the Measure DD, Series 2003A funds for each of the projects listed above was appropriated by City Council pursuant to Resolution No. 77965 in July 2003; and

WHEREAS, these funds must be spent as soon as possible in order for the second bond sale to occur; and

WHEREAS, increasing the as-needed creek restoration design services and technical assistance contracts will expedite the expenditure of the first Measure DD bond sale while hastening the implementation of the Measure DD projects; and

WHEREAS, Amphion Environmental, Inc., Jones and Stokes associates, Moffatt and Nichol Engineers, Wolfe Mason Associates and WRECO can provide the most efficient and cost effective design service for the previously approved Measure DD projects; and

WHEREAS, funding for the additional contract amounts will be provided by the Measure DD Fund (5320); Capital Environmental Services Organization (92280); Creek Restoration Project (C244810); Watershed Preservation and Acquisition Project (C244910); Lake Merritt Water Quality Project (C241710); and Capital Project Management Organization (92270); Derby to Lancaster St. Waterfront

Project (C243510); and 66th Ave. Gateway Project (C244310). Funds previously authorized by City Council will be used to fund any unscheduled urgent capital improvement projects; and

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 these contracts is in the public interest because of economy; and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific or technical nature; 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 service; now therefore be it

RESOLVED: that the City Administrator, or her designee, is hereby authorized to amend the existing professional services agreements with Amphion Environmental, Inc., Jones and Stokes Associates, Moffatt and Nichol Engineers, Wolfe Mason Associates and WRECO to provide as-needed creek restoration design services and technical assistance for the Measure DD Waterfront Trail, Creek Restoration, Watershed Preservation and Lake Merritt Water Quality project for an amount not to exceed \$150,000, bringing the total contract amounts to \$350,000 for Wolfe Mason Associates, WRECO and Moffatt and Nichol Engineers, and \$400,000 for Jones and Stokes Associates and Amphion Environmental, Inc.; and be it

FURTHER RESOLVED: that the City Administrator, or her designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreements 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, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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