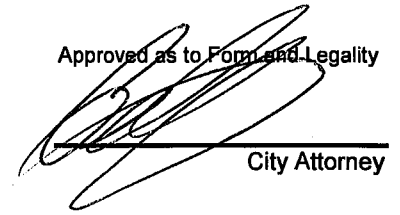


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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 87298 C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING FURTHER COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO AMEND AS-NEEDED CIVIL ENGINEERING SERVICES AGREEMENTS WITH:

- 1. WOOD RODGERS, INC. BY AN AMOUNT NOT-TO-EXCEED EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) TO ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000.00) TO SUPPORT OF MEASURE DD ESTUARY WATERFRONT TRAIL PROJECTS AND EXTEND THE TIME OF PERFORMANCE OF THE CONTRACT FROM DECEMBER 31, 2018, TO DECEMBER 31, 2020; AND**
- 2. MOFFATT AND NICHOL BY AN AMOUNT NOT-TO-EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) TO ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) TO SUPPORT OF MEASURE DD ESTUARY WATERFRONT TRAIL PROJECTS AND EXTEND THE TIME OF PERFORMANCE OF THE CONTRACT FROM DECEMBER 31, 2018, TO DECEMBER 31, 2020.**

WHEREAS, Measure DD is a General Obligation bond approved by Oakland voters in 2002; and

WHEREAS, Waterfront Trail projects at East 7th Street to 23rd Avenue and Park Street Bridge are part of the Measure DD Program under the Estuary Waterfront Access category to construct and improve continuous public pedestrian/bicycle trails along the Oakland Estuary; and

WHEREAS, the As-Needed Civil Engineering Service Agreement with Wood Rodgers, Inc. with a total contract amount of \$500,000 was approved by the City Council on March 16, 2010, through Resolution No. 82624 C.M.S.; and

WHEREAS, Wood Rodgers, Inc. is tasked with the design and construction administration services related to the Waterfront Trails at East 7th Street to 23rd Avenue Project through the As-

Needed Civil Engineering Services Agreement; and

WHEREAS, Wood Rodgers, Inc. completed the 35-percent design plans in May 2018 and initiated discussions with the Bay Conservation and Development Commission for the permitting required to develop the trail along the waterfront; and

WHEREAS, Wood Rodgers, Inc. is best qualified to complete the design and construction administration due to their extensive project knowledge and comprehensive understanding of limitations related to the sites as well as with the history of the project right-of-way negotiations with the property owners; and

WHEREAS, the current As-Needed Civil Engineering Services contract with Wood Rodgers, Inc. will expire on December 31, 2018, and the current total contract capacity of \$500,000 is not sufficient to complete the Measure DD project; and

WHEREAS, the As-Needed Civil Engineering Service Agreement with Moffatt and Nichol with a total contract amount of \$500,000 was approved by the City Council on March 16, 2010, through Resolution No. 82621 C.M.S.; and

WHEREAS, Moffatt and Nichol is tasked with the design and construction administration services related to the Waterfront Trail at Park Street Bridge Project through the as-needed services contract; and

WHEREAS, Moffatt and Nichol completed the conceptual design for the trail connection project at Park Street Bridge and are in the process of obtaining approval from the County of Alameda Public Works Agency that operate and maintain the bridge; and

WHEREAS, Moffatt and Nichol is best suited to complete the design and construction administration services for the Waterfront Trail at Park Street Bridge Project with their engineering expertise in bridge structures, innovative designs, and in-depth project knowledge; and

WHEREAS, the current As-Needed Civil Engineering Services contract with Moffatt and Nichol will expire on December 31, 2018, and the current total contract capacity of \$500,000 has been essentially depleted; and

WHEREAS, Oakland Municipal Code Section 2.04.051.A requires a competitive Request for Proposal/Qualifications selection process for professional services contracts in excess of \$50,000; and

WHEREAS, Oakland Municipal Code Section 2.04.051.B allows the City Council to waive the competitive Request for Proposal/Qualifications selection requirement for professional contracts in any amount if it is in the best interest of the City to do so; and

WHEREAS, the City Council finds and determines that it is in the City's best interest to continue utilizing Wood Rodgers, Inc. and Moffatt and Nichol for design and construction administration services through the As-Needed Civil Engineering Services Agreements for Measure DD project implementations and schedule; and

WHEREAS, funds for services contracts will be made available through the Measure DD Bond Fund (5322) allocations on an as needed basis; 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 the contract will be temporary in nature 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 pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive Request for Proposal/Qualifications selection requirement of Section 2.04.051.A in order to expedite the completion of the design and construction administration services for the Measure DD projects and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to amend the As-Needed Civil Engineering Services Agreement with Wood Rodgers, Inc. by an amount not-to-exceed \$800,000.00, bringing the total contract amount from \$500,000.00 to \$1,300,000.00 to support of Measure DD Estuary Waterfront Trail Projects and extend the time of performance of the contract from December 31, 2018, to December 31, 2020; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to amend the As-Needed Civil Engineering Services Agreement with Moffatt and Nichol by an amount not-to-exceed \$700,000.00, bringing the total contract amount from \$500,000.00 to \$1,200,000.00 to support of Measure DD Estuary Waterfront Trail Projects and extend the time of performance of the contract from December 31, 2018, to December 31, 2020; and be it

FURTHER RESOLVED: That the City Administrator or 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; and be it

FURTHER RESOLVED: That copies of agreements will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

JUL 24 2018

IN COUNCIL, OAKLAND, CALIFORNIA, _____

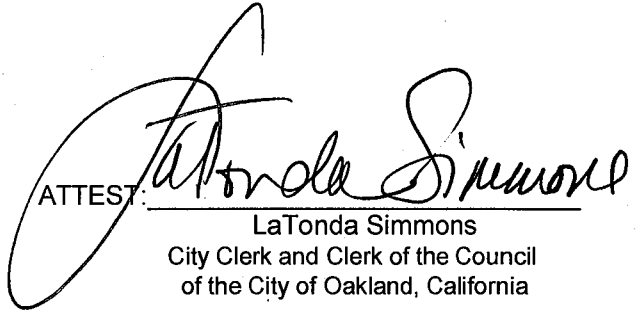
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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