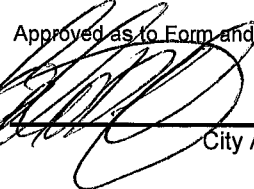


FILED
OFFICE OF THE CITY CLERK
OAKLAND
16 JUN 30 AM 11:43

Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 86295 C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION PROCESS AND AUTHORIZING AN AMENDMENT TO INCREASE THE AS-NEEDED LANDSCAPE ARCHITECTURAL SERVICES AGREEMENT WITH PLACEWORKS (FORMERLY DESIGN COMMUNITY AND ENVIRONMENT) BY AN AMOUNT NOT-TO-EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000.00) TO ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000.00)

WHEREAS, PlaceWorks, formerly Design Community and Environment, was chosen through the City's Request-for-Proposal process to provide landscaping architectural services for City of Oakland projects on an as-needed basis; and

WHEREAS, on March 2, 2010, the City Council approved Resolution No. 82558 C.M.S. awarding an as-needed landscape architectural services contract to PlaceWorks (Design, Community and Environment) in an amount not to exceed \$500,000.00; and

WHEREAS, Lakeside Green Streets Project is identified in the Lake Merritt Master Plan for improvements and funds are available for the project through Bond Measure DD, The Oakland Trust for Clean Water and Safe Parks; and

WHEREAS, staff utilized the contract with PlaceWorks for the Measure DD Lakeside Green Streets Project to commence the programming/planning, survey, schematic design, design development, and preparation of construction documents; and

WHEREAS, PlaceWorks complies with all Local Business Enterprise/Small Local Business Enterprise requirements; and

WHEREAS, additional design services were required to address safe pedestrian access to the Lake, increase park area, incorporating additional programming elements and to preserve key views and vistas of the lake per Lake Merritt Master Plan; and

WHEREAS, on January 24, 2012, City Council approved Resolution No. 83700 C.M.S. increasing the PlaceWorks as-needed landscape architectural services contract in the amount of \$350,000.00 to provide additional design services for the Lakeside Green Streets Project; and

WHEREAS, the PlaceWorks agreement expires August 14, 2018; and

WHEREAS, in March of 2013, staff applied for and was awarded a One Bay Area Federal Transportation Grant in the amount \$7,000,000.00; and

WHEREAS, the Metropolitan Transportation Commission transferred an additional \$2,200,000.00 to the Lakeside Green Streets Project; and

WHEREAS, upon award of the \$9,200,000.00 in federal funding, additional design services were required to complete the federal authorization process and to include several additional design elements that were not included in the initial design due to lack of funding; and

WHEREAS, it is in the best interest of the City to continue utilizing PlaceWorks as the project moves into the construction phase for additional construction support services, contingency for unforeseen conditions and potential additional design services that may occur during the construction of the project; and

WHEREAS, funding for the design services of the Lakeside Green Streets Project within Amendment No. 2 is available from the Measure BB Fund (2216), Capital Project Management Organization (92270), Consultant Services Account (54411) in Lakeside Green Streets Project (C491230); and

WHEREAS, Section 2.04.051 B of the Oakland Municipal Code, authorizes the City Council to waive the competitive Request for Proposals/Request for Qualifications ("RFP/RFQ") selection requirement of Section 2.04.051 A of the Oakland Municipal Code upon a finding and determination that it is in the best interests of the City to do so; 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 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 RFP/RFQ selection requirement of Section 2.04.051(A) of the Oakland Municipal Code in order to expedite the completion of the construction support services for the Lakeside Green Streets Project 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 her designee, is hereby authorized to execute Amendment No. 2 to increase the agreement with PlaceWorks for as-needed landscape architectural services in an amount not-to-exceed \$250,000.00, bringing the total contract amount to \$1,100,000.00; 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; and, be it

FURTHER RESOLVED: That a copy of the agreement 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.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 19 2016

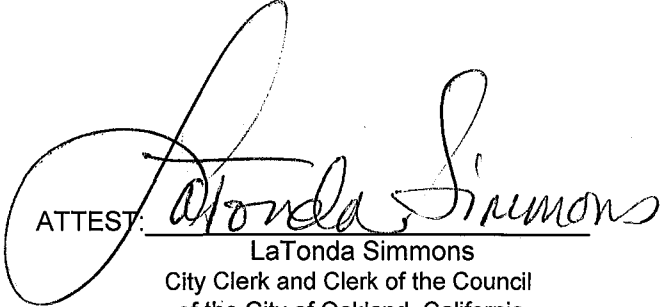
PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

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