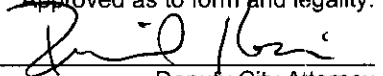


2005 OCT 13 AM 8:39

Approved as to form and legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

79560

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH DKS ASSOCIATES FOR STREETSCAPE IMPROVEMENTS FOR TELEGRAPH AVENUE BETWEEN 16TH AND 20TH STREETS TO PROVIDE ADDITIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES AND TO INCREASE THE CONTRACT AMOUNT BY \$270,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$500,938

WHEREAS, on September 3, 2003, the City issued a Request for Proposals (RFP) for as-needed civil engineering services for the Telegraph Avenue Streetscape Improvement Project to provide streetscape improvements for Telegraph Avenue between 16th and 20th Streets, and six firms were selected for contract award; and

WHEREAS, on March 16, 2004, Council Resolution No. 78396 C.M.S. awarded an as-needed civil-engineering services contract to DKS Associates for an amount not to exceed \$250,000; and

WHEREAS, on September 1, 2004, the City executed an agreement to provide for the engineering design of the Telegraph Avenue Streetscape Improvement Project, in an amount not to exceed \$230,938; and

WHEREAS, tasks and progress achieved have reached the 65% completion level, with completion of 100% final construction documents scheduled to occur in November 2005; and

WHEREAS, additional as-needed professional services are required, and include construction support services, preliminary and final construction drawings for upgrading of the existing basement spaces and coordination with various projects in the Uptown area; and

WHEREAS, it is in the interest of the City from a liability and practical perspective to have DKS Associates provide the additional structural design, coordination and construction support services in the most efficient and cost effective manner because of their familiarity and current involvement in this project; and

WHEREAS, funds for the Telegraph Avenue Streetscape Improvement Project are available in the Reimbursable Grants Fund (#2214), Capital Improvement Projects Organization (#94800), Architectural and Engineering Account (#54411), Telegraph Streetscapes Project (#C194922), and will be reimbursed to the City through Measure "B" Grant Funds; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature; and

WHEREAS, the City Council finds that services under contract will be temporary; and

WHEREAS, Council finds that 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 enter into and amendment to the Agreement with DKS Associates to provide additional design and construction support services for an additional amount not to exceed \$270,000, for a total contract amount not to exceed \$500,938; 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 amendment shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.


IN COUNCIL, OAKLAND, CALIFORNIA, NOV 01 2005, 2005

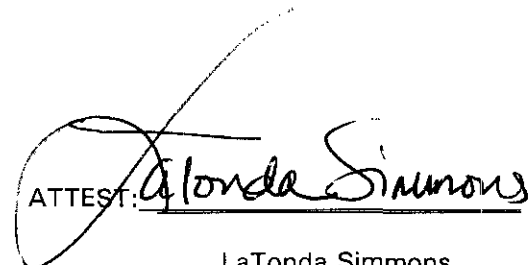
PASSED BY THE FOLLOWING VOTE:

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