


APPROVED AS TO FORM AND LEGALITY

  
Celso Ortiz (Nov 14, 2024, 20:13 CST)

CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION (RFP/Q) REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT WITH STUDIO PEREZ ARCHITECTS BY AN AMOUNT NOT-TO-EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), BRINGING THE TOTAL AMOUNT FROM TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$325,000) AND ADOPT APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.**

**WHEREAS**, Studio Perez Architects has been chosen through the City's Request for Qualifications (RFQ) process to provide architectural services for the City of Oakland projects on an on-call basis; and

**WHEREAS**, staff utilized the on-call contract with Studio Perez Architects for the schematic design, design development, and preparation of construction documents for the East Oakland Arts Center (EOAC), formerly DACA, funded by the Affordable Housing and Infrastructure Bond (Measure KK); and

**WHEREAS**, staff utilized the on-call contract with Studio Perez Architects for the construction support, and amendment of construction documents for EOAC; and

**WHEREAS**, implementation of these important facility upgrades are critical to meet the EOAC operational needs, and to meet the City's Equitable Climate Action Plan (ECAP) goals, passed by Council in July 2020; and

**WHEREAS**, additional design services are required and the existing contract for on-call services lack sufficient capacity to complete the project; and

**WHEREAS**, Studio Perez Architects is a 25-year, Minority-owned, Small Local Business enterprise based in San Francisco; and

**WHEREAS**, Studio Perez Architects has been working on EOAC since 2019 through City Administrator approval for an amount not-to-exceed \$250,000.00; and

**WHEREAS**, this project is nearing completion, with construction expected to be finished in early 2025; and

**WHEREAS**, an increase in contract capacity by \$75,000.00 is needed to finish the work.

**WHEREAS**, it is in the best interest of the City to continue utilizing Studio Perez Architects for construction support services until completion of the project in early 2025; and

**WHEREAS**, funding for professional services are currently budgeted in the project from the Capital Improvements Impact Fee Fund (2421), EOAC (DACA) (1004851), Project Management Organization, (92270), Architectural and Engineering Services (54411), and Project Delivery Program (IN06); 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 interest 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 the critical schedule for project planning and implementation of community services provided by the East Oakland Arts Center; 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 and shall not result in the loss of employment of salary by any person having permanent status in the competitive services; and

**WHEREAS**, this action is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15301 (existing facilities), 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15302 (Replacement or Reconstruction), 15303 (Small Structures), and/or 15061(b)(3) (No Significant Effect on the Environment); 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 interest 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 design and construction support services for the EOAC improvements; and be it

**FURTHER RESOLVED:** The City Council finds and determines that this action is exempt from CEQA, on a separate and independent basis pursuant to CEQA Guidelines Section 15236, 15301, 15183, 15302, 15303, and 15061(b)(3); and be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, is hereby authorized to execute Amendment No. 1 to increase the agreement with Studio Perez Architects by an amount not-to-exceed seventy-five thousand dollars (\$75,000.00), bringing the total contract

amount from two hundred and fifty thousand dollars (\$250,000.00) to three hundred twenty-five thousand dollars (325,000.00); and be it

**FURTHER RESOLVED:** That the City Administrator, or his 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,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST:

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

