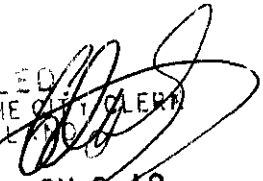


OAKLAND CITY COUNCIL

RESOLUTION No. 79370 C. M. S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND



2005 JUN 28 PM 3:19

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD, INC., TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE LAKE MERRITT MASTER PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000), BRINGING THE TOTAL CONTRACT AMOUNT TO ONE MILLION NINE HUNDRED EIGHTY FOUR THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$1,984,885)

WHEREAS, on May 8, 2001, City Council approved Resolution No. 76426 C.M.S. awarding a professional services contract to Wallace Roberts & Todd, Inc., to provide landscape architectural and related design services for the development of the Lake Merritt Master Plan for an amount not to exceed \$504,885; and

WHEREAS, on March 31, 2003, Amendment No. 1 to the professional services contract with Wallace Roberts & Todd, Inc., was issued to extend the time of performance; and

WHEREAS, on April 6, 2004, City Council approved Resolution No. 78458 C.M.S. to execute Amendment No. 2 of the professional services contract with Wallace Roberts & Todd, Inc., for complete design services on projects outlined in the Lake Merritt Master Plan for an amount not to exceed \$1,250,000; and

WHEREAS, additional design work is now required as the result of unforeseen structural deficiencies discovered during investigate work in the concrete dock area and in the bulkhead/retaining wall area of the Municipal Boathouse; and

WHEREAS, additional design work is also necessary to relocate an exterior restroom, to construct a ADA compliant dock and ramp structure, and to add park signage to the projects; and

WHEREAS, Wallace Roberts & Todd, Inc., can provide the additional design services efficiently and cost effectively by incorporating the work as part of the current design documents of the ongoing projects at Lake Merritt; and

WHEREAS, funding for the work to be performed by Wallace Roberts & Todd, Inc., is budgeted and available within the Measure DD Fund (#5320) under the Municipal Boathouse project (C241910), the Lake Merritt System-wide Improvements project (C242110), the Lake Merritt Retaining Wall project (C242210), the Lake Merritt Pathways project (C242310) and the El Embarcadero Reconfiguration project (C242410); 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 Wallace Roberts & Todd, Inc., to provide additional design services for the Lake Merritt Master Plan for an amount not to exceed \$230,000, bringing the total contract amount to \$1,954,885; 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, JUL 19 2005, 2005

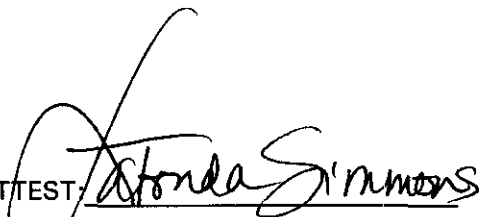
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID 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