

RESOLUTION No. 78396 C.M.S.

OFFICE OF THE CITY CLERK  
OAKLAND

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

2004 FEB 11 PM 1:20

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DKS ASSOCIATES FOR AS-NEEDED CIVIL ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)**

**WHEREAS**, professional civil engineering services are needed to provide site evaluations, programming, design services and construction support services for various roadways, drainage facilities, streetscape improvements, landslide repairs, waterfront structures, and other civil engineering related projects; and

**WHEREAS**, as-needed civil engineering services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, unscheduled projects occur throughout the three years period and will mostly likely require civil engineering services; and

**WHEREAS**, it is anticipated that several Measure DD, Proposition 12, Proposition 40 and various funded capital improvement projects will utilize the as-needed services agreements; and

**WHEREAS**, the civil engineering services will be funded through the various individual projects and funds will be identified prior to the performance of the civil engineering services; and

**WHEREAS**, twenty-one firms responded to the City's Request for Proposals and DKS Associates was chosen as one of the top rated firms to provide the services; and

**WHEREAS**, the City wishes to enter into a contract with DKS Associates and the City Council finds that this contract is for services of a professional nature; and

**WHEREAS**, the City Council finds that the professional engineering services are exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; 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 services; now, therefore, be it

**RESOLVED:** That the City Manager, or her designee, is hereby authorized to enter into an Agreement with DKS Associates to provide as-needed civil engineering services; and, be it

**FURTHER RESOLVED:** That the total amount of the Agreement is for an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); and be it

**FURTHER RESOLVED:** That the City Manager, 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 total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 16 2004, 2004

PASSED BY THE FOLLOWING VOTE:

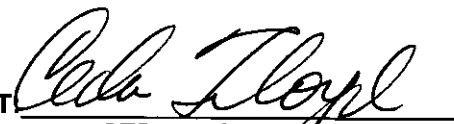
AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Brooks - 1

ABSTENTION- 0

ATTEST



CEDA FLOYD

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