

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 JUL 10 PM 3:59

OAKLAND CITY COUNCIL

RESOLUTION NO. 81532 C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH NINYO & MOORE IN AN AMOUNT UP TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000.00) FOR AS-NEEDED GENERAL ENVIRONMENTAL CONSULTING SERVICES FOR A TWO-YEAR, EIGHT-MONTH PERIOD FROM NOVEMBER 1, 2008 THROUGH JUNE 30, 2011

WHEREAS, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties that the City owns, plans to acquire, redevelop, or dispose of; and

WHEREAS, the City needs to be able to provide pre-demolition/renovation mitigation of identified environmental hazards at properties that the City owns, plans to acquire, redevelop, or dispose of; and

WHEREAS, the City needs to be able to provide environmental quality control services through construction monitoring, air monitoring, and laboratory services to support the City's renovation and demolition projects at properties that the City owns, plans to acquire, redevelop, or dispose of; and

WHEREAS, the City needs consultants that are thoroughly knowledgeable in the application of local, state, and federal environmental regulations; and

WHEREAS, the City needs consultants that will interact with regulatory agencies, as the City's technical expert, in negotiations regarding environmental investigation and remediation; and

WHEREAS, the City needs responsive service to meet deadlines for regulatory requirements and such responsiveness is most effectively provided through as-needed contracts; and

WHEREAS, through the City's Request for Proposal and interview process, Ninyo & Moore was rated as one of the top-ranked firms able to provide the services required; 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 are temporary in nature; and

WHEREAS, the City Council finds that the agreement directly or indirectly supports the City Council Goal to "Develop a Sustainable City"; and

WHEREAS, the City Council finds that the agreement 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 is hereby authorized to enter into an agreement for as-needed professional environmental consulting services with Ninyo & Moore, under the direction of the City's Public Works Agency - Environmental Services Division, subject to the review and approval of the City Attorney; and be it

FURTHER RESOLVED: That the total amount of the contract shall be for a not-to-exceed value of seven hundred fifty thousand dollars (\$750,000.00) for a two-year, eight-month period from November 1, 2008 through June 30, 2011; and be it

FURTHER RESOLVED: That the City Administrator or his/her designee is hereby authorized and empowered 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 executed agreement will be on file in the City Clerk's Office and will be approved by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 16 2008, 20

PASSED BY THE FOLLOWING VOTE:

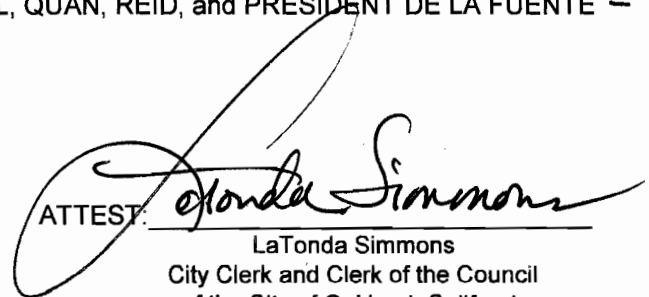
AYES - ~~Brooks~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brooks - 1

ATTEST:


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