

OAKLAND CITY COUNCIL
RESOLUTION No. 78449

FILED
OFFICE OF THE CITY CLERK
OAKLAND

C.M.S. 2004 MAR 11 PH 1:48

Rev. Lin

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH TY LIN INTERNATIONAL/CCS FOR DESIGN SERVICES FOR THE 42ND AVENUE AND HIGH STREET ACCESS IMPROVEMENTS PROJECT - PHASE II (CITY PROJECT NO. C98510) FOR AN AMOUNT NOT TO EXCEED ONE MILLION THIRTY-SEVEN THOUSAND NINE-HUNDRED EIGHTY-THREE DOLLARS (\$1,037,983)

WHEREAS, the 42nd Avenue and High Street Access Improvements Project will improve vehicular and pedestrian circulation and access at I-880; and

WHEREAS, Phase I of the 42nd Avenue and High Street Access Improvements Project is scheduled for completion by March 31, 2004, and Phase II consisting of the development of the design and preparation of construction documents must be completed by December 31, 2004; and

WHEREAS, CCS Planning and Engineering, Inc. was selected in 1999 to provide engineering design services for all phases of the 42nd Avenue and High Street Access Improvements Project; and

WHEREAS, the City Council in 1999 authorized City staff to negotiate an agreement with CCS Planning and Engineering, Inc. for Phase II, and to return to City Council for approval once funding became available; and

WHEREAS, funding in the amount of \$1,200,000 from Measure B and the State Transportation Improvement Program (STIP) is available through Measure B Fund (2210), 42nd Avenue and High Street Access Improvements Project (C98510) and California Department of Transportation Fund (2140), 42nd Avenue and High Street Access Improvements Project (C98520); 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 this agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the environmental review requirements of the California Environmental Quality Act (CEQA) and the City of Oakland have been satisfied with the preparation of an Initial Study and supplemental technical reports by the City of Oakland, as lead agency; and

WHEREAS, based on the Initial Study, there is no evidence before the City of Oakland that the project will have any potential for adverse impact on the environment, and a Negative Declaration was filed with the Office of the Alameda County Clerk on March 7, 2001; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to enter into a professional services agreement with TY Lin International/CCS to provide design services for the 42nd Avenue and High Street Access Improvements Project - Phase II (City Project No. C98510) for an amount not to exceed \$1,037,983; and be it

FURTHER RESOLVED: That the City Manager, or her designee, is hereby authorized to execute any amendments, or modifications of said agreement without further City Council approval, except for increases in the agreement amount; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Manager, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above; and be it

FURTHER RESOLVED: That the agreement shall be approved for form and legality by the City Attorney, and a copy of the agreement shall be kept on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, **APR 6 2004**, 20__

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE - 8

NOES – 0

ABSENT – 0

ABSTENTION – 0

ATTEST:



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