

OAKLAND CITY COUNCIL

RESOLUTION NO. 79202

FILED  
OFFICE OF THE CITY CLERK  
C.M.S.

2005 APR 13 PM 6:16

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL ENVIRONMENTAL SERVICES AGREEMENT WITH LEVINE.FRICKE, INC., FOR AN AS-NEEDED, NOT-TO-EXCEED AMOUNT OF \$400,000 FOR THE PERIOD OF JULY 1, 2005 THROUGH JUNE 30, 2007**

**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 remediation project construction monitoring, air monitoring, and laboratory services to support the City's Renovations and/or 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 process, Levine.Fricke, Inc. was rated as one of the top-ranked firms 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 Levine.Fricke, Inc., 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 \$400,000 for a two year period from July 1, 2005 through June 30, 2007; 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, MAY 03 2005, 20    

**PASSED BY THE FOLLOWING VOTE:**

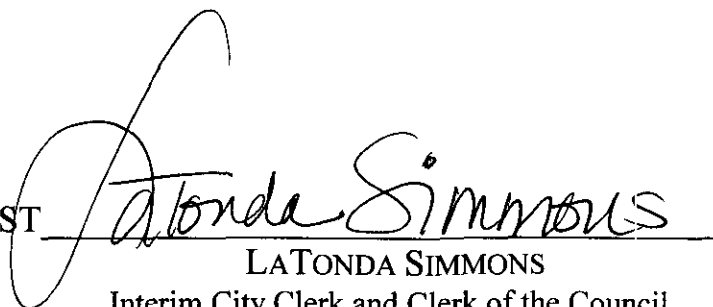
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, ~~YAK~~

NOES- ~~PRESIDENT DE LA FUENTE~~ - 6

ABSENT- 0

ABSTENTION- 0

EXCUSED- President ATTEST  
DeLaFuente - 1

  
LATONDA SIMMONS  
Interim City Clerk and Clerk of the Council  
of the City of Oakland, California