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OFFICE OF THE CITY CLERK  
OAKLAND

2009 SEP 17 PM 4:19

## OAKLAND CITY COUNCIL

RESOLUTION No. 82326 C.M.S.

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

**Resolution Waiving the Competitive Request for Proposal/Qualification Process and Authorizing Amendment No. 2 To Increase The Agreement With Shah Kawasaki Architects For As-Needed Architectural Services For An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00), Bringing The Total Contract Amount To One Million Dollars (\$1,000,000.00)**

**WHEREAS**, Shah Kawasaki Architects was chosen through the City's Request-for-Proposal process to provide architectural services on various City of Oakland projects on an as-needed basis; and

**WHEREAS**, on April 3, 2007, the City Council approved Resolution No.80491 C.M.S. to award an as-needed architectural services contract to Shah Kawasaki Architects in an amount not to exceed \$350,000.00; and

**WHEREAS**, on December 17, 2007, the City Council approved Resolution No.80990 C.M.S. to approve Amendment No. 1 to the as-needed architectural services contract to Shah Kawasaki Architects to increase the contract in an amount not to exceed \$550,000.00; and

**WHEREAS**, staff utilized the as-needed contract with Shah Kawasaki Architects for the Fire Station No. 18 project to commence with the programming/planning, survey, schematic design, and design development phases of the project the preparation of construction documents, the bid/award and construction support work, and the building commissioning; and

**WHEREAS**, additional work was required due to unanticipated design services for a new retaining /shoring system wall and a new Fire Station layout; and

**WHEREAS**, in order to now complete the remaining portions of the Fire Station No. 18 work that include the construction support services and building commissioning, Amendment No. 2 in the amount not to exceed \$100,000.00 is required; and

**WHEREAS**, funding for the remaining construction support design services of the Fire Station No. 18 project within Amendment No. 2 is available in the Oakland Redevelopment Agency project fund (Fund 7780, Fire Station No. 18 Project No. C328310, Capital Project Management Organization 92270); 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 in nature; 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 pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interest of the City to waive the competitive Request for Proposals/Request for Qualifications selection requirement of Section 2.04.051 A of the Oakland Municipal Code in order to expedite the completion of the construction support services for the Fire Station No. 18 project; and, be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, is hereby authorized to execute Amendment No. 2 to increase the agreement with Shah Kawasaki Architects for as-needed architectural services for an amount not to exceed \$100,000.00, bringing the total contract amount to \$1,000,000.00; and, be it

**FURTHER RESOLVED:** That the City Administrator, or his 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; and, be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 6 2009, 2009

**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~8~~ DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT BRUNNER - 7

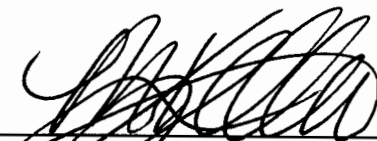
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:

  
\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California