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OFFICE OF THE CITY CLERK  
OAKLAND

2009 JUN 11 PM 8:02

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 82120 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH FEHR & PEERS, FOR AS-NEEDED TRANSPORTATION ENGINEERING SERVICES IN AN AMOUNT NOT-TO-EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)**

**WHEREAS**, professional as-needed transportation engineering services are needed to assist the Transportation Services Division (TSD) and other Departments and Divisions under the Community and Economic Development Agency (CEDA) with planning, engineering, design, operations, construction support, data collection, research, staff training and technical support services for various transportation projects; and

**WHEREAS**, the as-needed transportation engineering services agreement allows TSD and CEDA, as a whole, to respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, the as-needed transportation engineering services allows TSD and CEDA, as a whole, to promote greater efficiency and safety within the transportation network; and

**WHEREAS**, CEDA and TSD anticipates that several currently funded transportation projects, including the 42<sup>nd</sup> Avenue and High Street Access Improvement Project, will utilize the as-needed transportation engineering services agreement; and

**WHEREAS**, mid-year projects will arise throughout the three (3) year period and will likely require as-needed transportation engineering services; and

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

**WHEREAS**, pursuant to Oakland Municipal Code Section 2.04.051 A, the City conducted a competitive Request for Qualifications selection process; and

**WHEREAS**, TSD staff recommends Fehr & Peers, to provide as-needed transportation engineering services required for an amount not to exceed \$500,000.00; and

**WHEREAS**, Fehr & Peers has met the City's 20% Local/Small Local Business Enterprises (LBE/SLBE) Program requirements and has been determined to be in compliance with the Equal Benefits Ordinance (EBO); and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical and temporary nature, and 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 Council authorize the City Administrator, or his designee, to enter into a Professional Service Agreement with Fehr & Peers, for As-Needed Transportation Engineering Services in an amount not-to-exceed \$500,000.00; and be it

**FURTHER RESOLVED:** That the term of the Agreement shall be for three (3) years and is anticipated to cover the time period from June 2009 to May 2012; 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 total compensation or the allocation of funds, provided that such amendments or extensions shall be approved for form and legality by the City Attorney and a copy shall be kept on file with the City Clerk; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 7 2009

**PASSED BY THE FOLLOWING VOTE:**

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

  
LATONDA SIMMONS

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