

2009 DEC -3 PM 5:11



REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND  
2010-0008  
RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH PGA DESIGN FOR AN AMOUNT NOT TO EXCEED \$159,000 TO COMPLETE THE DESIGN FOR THE BART ENTRY PLAZA REMODEL FOR THE MACARTHUR TRANSIT VILLAGE PROJECT**

**WHEREAS**, the Redevelopment Agency of the City of Oakland is working to redevelop the MacArthur BART Station and the surrounding properties into a transit village; and

**WHEREAS**, the MacArthur Transit Village project is within the Broadway/MacArthur/San Pablo Redevelopment Project Area; and

**WHEREAS**, the Five Year Implementation Plan for the Broadway/MacArthur/San Pablo Redevelopment Project, adopted on December 7, 2004, includes the MacArthur Transit Village project and related streetscape improvements; and

**WHEREAS**, the development of the MacArthur Transit Village includes the proposed renovation of the BART entry plaza as one of the initial phases for the project; and

**WHEREAS**, the Agency received a grant from the Alameda County Congestion Management Agency, deposited in Broadway/MacArthur/San Pablo Grant Fund 9213, MacArthur Transit Village CMA TIP Project G214310, Redevelopment Projects Organization 88669 to cover environmental review and the completion of design documents for the BART plaza remodel which is the subject of this contract; and

**WHEREAS**, pursuant to a joint Request for Proposals, the Agency and BART selected a development team for the MacArthur Transit Village project that consists of a partnership between McGrath Properties and BUILD (BRIDGE Urban Infill Land Development, LLC), organized as MacArthur Transit Community Partners, LLC ("MTCP"); and

**WHEREAS**, MTCP has negotiated an Owner Participation Agreement with the Agency and the effective date of the agreement is July 21, 2009; and

**WHEREAS**, PGA Design has been selected by MTCP to complete the public open space and landscaping design for the entire MacArthur Transit Village project; and

**WHEREAS**, PGA Design and their sub-consultant, Hood Design, completed the schematic design for the BART entry plaza remodel and have submitted a proposal to complete the construction design, plans and specifications; and

**WHEREAS**, the Agency finds and determines that it is in its best interest to negotiate solely with PGA Design because it is best to use the same design team to complete the design and specifications for all the public open spaces in the project, to assure consistency with the overall project design; and

**WHEREAS**, the Agency has determined that the contract with PGA Design will comply with the Local and Small Local Business Enterprise Program and all other City programs; and

**WHEREAS**, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied, and

**WHEREAS**, the Agency 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 Agency finds that this contract 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 Agency Administrator is hereby authorized to negotiate and execute a contract with PGA Design for an amount not to exceed \$159,000 to complete the construction design, plans and specifications for the BART entry plaza remodel as part of the MacArthur Transit Village Project; and be it

**FURTHER RESOLVED:** That the Agency Administrator or his designee is hereby authorized to extend, amend, except to increase compensation, and take whatever action is necessary with respect to this contract, consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED:** That the Agency hereby appropriates \$159,000 in funding for the contract from the Broadway/MacArthur/San Pablo Grant Fund 9213, MacArthur Transit Village CMA TIP Project G214310, Redevelopment Projects Organization 88669; and be it

**FURTHER RESOLVED:** That by Resolution No. 81422 C.M.S., the City of Oakland certified the Environmental Impact Report for the MacArthur Transit Village project which includes the Plaza remodel project, and no further action or determination is now required: and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by Agency Counsel for form and legality prior to execution, and a copy shall be placed on file with the Agency Secretary.

JAN - 5 2010

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2010

**PASSED BY THE FOLLOWING VOTE:**


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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



LATONDA SIMMONS

Secretary, Redevelopment Agency  
of the City of Oakland