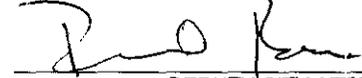


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DEPUTY CITY ATTORNEY

## OAKLAND CITY COUNCIL

RESOLUTION NO. 80048 C. M. S.

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

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**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH OAKS ENVIRONMENTAL TESTING, TO PROVIDE AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT, NOT TO EXCEED \$37,500 FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2008**

**WHEREAS**, federal regulations require that housing rehabilitation activities financed with federal funds assess and mitigate hazards associated with the presence of lead-based paint; and

**WHEREAS**, the City finances its housing rehabilitation activities in part from federal grants under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs; and

**WHEREAS**, the City needs to be able to conduct pre-rehabilitation, lead-based paint risk assessments, paint inspections, laboratory analyses and post-rehabilitation clearance testing; and

**WHEREAS**, the City needs to be able to provide pre-rehabilitation identification of lead-based paint hazards at properties that the City will provide financial assistance for residential rehabilitation; and

**WHEREAS**, the City needs to provide laboratory services and clearance testing services to support the City's housing rehabilitation activities; and

**WHEREAS**, the City needs to be able to conduct environmental investigations at, and characterize suspect hazardous materials existing in, properties where the City will administer federally-funded rehabilitation; and

**WHEREAS**, the City needs to be able to provide environmental quality control services through rehabilitation project construction monitoring, air monitoring, and laboratory services to support the City's federally-funded rehabilitation programs; 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, Oaks Environmental Testing 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 or his/her designee is hereby authorized to negotiate and enter into an agreement for as-needed professional environmental consulting services with Oaks Environmental Testing, in a not-to-exceed amount of \$37,500 for a two year period from July 1, 2006 through June 30, 2008 and be it

**FURTHER RESOLVED:** That the funds for this agreement are allocated from HUD-CDBG Fund 92108, Municipal Lending Services Organization (88939) Third Party Grant Contracts Account (54912) and Rehabilitation Loan Program Costs Project (G08750); and be it

**FURTHER RESOLVED:** That the City Administrator or his/her 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 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 reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 18 2006, 2006

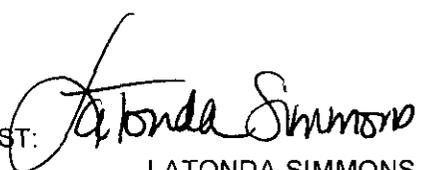
**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California