



City Attorney

2014 DEC 30 AM 10:14

OAKLAND CITY COUNCIL

RESOLUTION No. 85363 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO BIGGS CARDOSA ASSOCIATES, INC. TO PROVIDE SPECIAL INSPECTION AND MATERIAL TESTING SERVICES FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810) IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)

WHEREAS, professional civil engineering services are needed to provide special inspection and material testing laboratory services to support the Replacement of Embarcadero Bridge Project (Project No. G121810)

WHEREAS, on April 2, 2014, the California Department of Transportation (Caltrans) approved the construction phase of the project and obligated a grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00; and

WHEREAS, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

WHEREAS, the grant for the contract with Biggs Cardosa Associates requires a local match of \$14,911.00 and will be available in FY 15-16 using Measure B funds; and

WHEREAS, funds for the additional services under Amendment 6 will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$485,089.00
- Measure B-ACTIA Fund (2211); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$14,911.00; and

WHEREAS, the City conducted a competitive Request for Proposals selection process and extensive outreach effort to request proposals that resulted in seven (7) responses; and

WHEREAS, Biggs Cardosa Associates, Inc. was chosen through the City's Request for Proposals process as the top rated firm to provide the services; and

WHEREAS, the federal Race Conscious Disadvantaged Business Enterprise (RC DBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified firms because this project is funded by federal funds; and

WHEREAS, Biggs Cardosa Associates, Inc. has achieved 12.00% DBE participation, which meets the 12.00% DBE requirement identified in the Request for Proposals; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work and 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 has determined that this contract is of a professional, scientific or technical and temporary in 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 Administrator, or designee, is authorized to negotiate and execute a professional services contract with Biggs Cardosa Associates, Inc. to provide professional engineering services for the Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810) in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00); and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said Contract with the exception of those related to an increase in total compensation or 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 the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

JAN 20 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON, and REID *-8*

NOES - *Ø*

ABSENT - *Ø*

ABSTENTION - *Ø*

ATTEST *LaTonda Simmons*
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California