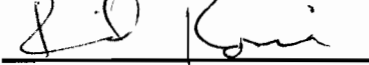


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to form and legality:


Deputy City Attorney

2009 DEC -3 PM 5:06

OAKLAND CITY COUNCIL

RESOLUTION No. 82474 C.M.S.

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH ASES, INC., OAKS ENVIRONMENTAL, ESSEL TECHNOLOGY SERVICES, PROFESSIONAL SERVICES INCORPORATED (PSI), AND SCA ENVIRONMENTAL CONSULTING SERVICES TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES ON AN AS-NEEDED BASIS, INCLUDING LEAD-BASED PAINT RISK ASSESSMENTS, PAINT INSPECTIONS AND CLEARANCE TESTING FOR RESIDENTIAL REHABILITATION PROJECTS FUNDED THROUGH THE RESIDENTIAL LENDING AND REHABILITATION PROGRAM, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$200,000 FOR THE PERIOD OF DECEMBER 14, 2009, THROUGH JUNE 30, 2011

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), HOME Investment Partnership (HOME), and American Recovery and Reinvestment Act (ARRA) 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, lead-based paint hazards assessments 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 rehabilitations; 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

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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 services 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 Proposals process, all five consultants referenced in this Resolution met City requirements to provide the services required; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreements directly or indirectly support the City Council goal to develop a "Sustainable City"; and

WHEREAS, the City Council finds that the agreements 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 agreements with ASES, Inc., Oaks Environmental, Essel Technology Services, Professional Services Incorporated (PSI), and SCA Environmental Consulting Services in an aggregate amount not to exceed \$200,000 to provide as-needed professional environmental consulting services in connection with residential rehabilitation projects funded through the Residential Lending and Rehabilitation Program from December 14, 2009, through June 30, 2011; and be it further

RESOLVED: That the agreements with ASES, Inc, Oaks Environmental and Professional Services Incorporated are conditioned on verification from the Department of Contracting and Purchasing that all City contracting requirements have been met; and be it

FURTHER RESOLVED: That the funds for these agreements are allocated from the HUD – CDBG Fund (2108) Municipal Lending Organization (88939), Third Party Contract Account (54912), Rehabilitation Loan Program Costs Project (G08750); and be it

FURTHER RESOLVED: That the aggregate amount expended for the contracts for all five firms shall not exceed \$200,000, and the City Administrator is authorized to allocate contract amounts among the contracts authorized herein in his discretion within authorized aggregate maximum; 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 agreements 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 copies of the executed agreements will be placed 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; and be it

FURTHER RESOLVED: That the City Administrator or his or her designee is hereby authorized to take any other actions with respect to the agreements consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN - 5 2010, 2009

PASSED BY THE FOLLOWING VOTE:

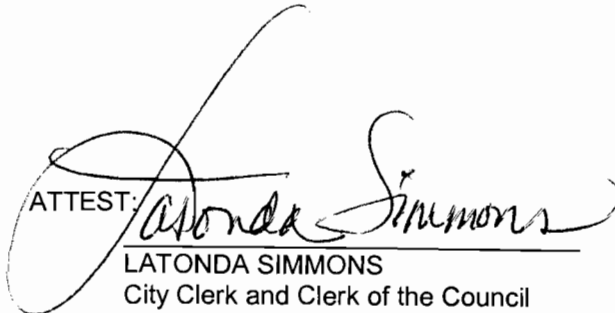
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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