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APPROVED AS TO FORM AND LEGALITY:

BY: 
ORSA COUNSEL

OAKLAND REDEVELOPMENT SUCCESSOR AGENCY

RESOLUTION No. 2013- 009

RESOLUTION AUTHORIZING THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH TERRAPHASE ENGINEERING FOR ON-CALL ENVIRONMENTAL CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED FIVE-HUNDRED THOUSAND DOLLARS (\$500,000) FOR A THREE YEAR PERIOD FROM JULY 1, 2013 THROUGH JUNE 30, 2016

WHEREAS, the Oakland Redevelopment Successor Agency (“ORSA”) anticipates receiving a finding of completion under Health and Safety Code Section 34179.7; and

WHEREAS, the finding of completion will allow ORSA to expend unencumbered bond proceeds for purposes consistent with the bond covenants; and

WHEREAS, the use of these so-called excess bond proceeds must be included on the Recognized Obligation Payment Schedule (“ROPS”) once a finding of completion is issued; and

WHEREAS, ORSA will require the assistance of environmental professionals to analyze soil and groundwater contamination, design cleanup plans, monitor air emissions, test fuel tanks, develop stormwater pollution prevention plans, and perform other services related to the protection of human health and environmental resources for real properties it owns and intends for future redevelopment; and

WHEREAS, such work in support of redevelopment of those properties would be allowable uses of bond proceeds under bond covenants; and

WHEREAS, ORSA needs to be able to respond quickly to deadlines associated with environmental laws and regulatory mandates, and such responsiveness is most effectively provided through on-call contracts; and

WHEREAS, through a competitive Request for Qualifications process, Terraphase Engineering was rated as one of the top-ranked firms available to provide the services herein described; and

WHEREAS, ORSA 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, ORSA 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 ORSA Administrator or his/her designee is hereby authorized to negotiate and enter into a professional services agreement for on-call environmental consulting services with Terraphase Engineering, subject to the review and approval of ORSA Counsel; and be it

FURTHER RESOLVED: That the work shall be completed on an as-needed basis and the total amount of the contract shall not exceed five-hundred thousand dollars (\$500,000) for a three-year period from July 1, 2013 through June 30, 2016; and be it

FURTHER RESOLVED: That issuance of work orders or disbursement of funds under the contract shall be contingent on ORSA having received a finding of completion and the work and contract payments being included on an approved ROPS; and be it

FURTHER RESOLVED: That the ORSA Administrator or his/her designee is hereby authorized and empowered 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 ORSA Secretary; and be it

FURTHER RESOLVED: That a copy of the executed agreement shall be on file with the ORSA Secretary and shall be approved for form and legality by ORSA Counsel.

BY SUCCESSOR AGENCY, OAKLAND, CALIFORNIA, JUN 4 2013 , 2013

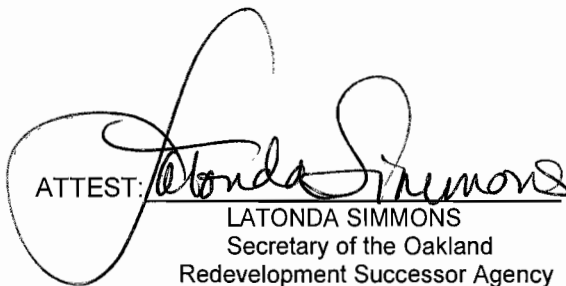
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, KALB , KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, AND
 PRESIDENT KERNIGHAN - 8

NOES- ~~0~~

ABSENT- ~~0~~

ABSTENTION- ~~0~~

ATTEST: 
LATONDA SIMMONS
Secretary of the Oakland
Redevelopment Successor Agency