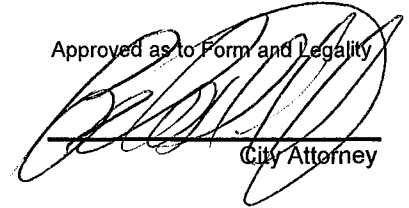


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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 87929 - C.M.S.

Introduced by Councilmember _____

A RESOLUTION WAIVING FURTHER COMPETITIVE REQUEST FOR PROPOSAL (RFP) REQUIREMENTS AND INCREASING THE CONTRACT WITH BIGGS CARDOSA ASSOCIATES BY TWO HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED NINE DOLLARS AND TWENTY CENTS (\$249,409.20) FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED ONE MILLION FIVE HUNDRED THIRTY THOUSAND TWO HUNDRED SEVENTY-NINE DOLLARS AND TWENTY CENTS (\$1,530,279.20) FOR THE LEIMERT BOULEVARD BRIDGE SEISMIC RETROFIT PROJECT

WHEREAS, the Leimert Bridge was identified by the California Department of Transportation (Caltrans) for need of seismic retrofit; and

WHEREAS, Biggs Cardosa Associates Inc was awarded a contract for providing professional services for the design phase of seismic retrofit of Leimert Boulevard Bridge (Project No. 1000820) in an amount not to exceed \$1,280,870.00 by City Council (Resolution 85918 C.M.S) on December 8, 2015; and

WHEREAS, Biggs Cardosa Associate Inc., (BCA) was selected through competitive Request For Proposal (RFP) selection process following federal procedures, and the RFP included professional service during design, right of way and construction phases; and

WHEREAS, the existing contract is to provide professional services during the design phase; and

WHEREAS, should the City undertake a new RFP process to bring on a different consultant, the project would not meet grant deadline requirements and risk losing federal funding.

WHEREAS, BCA has developed core knowledge of the project which is a valuable resource; and

WHEREAS, it is also important to have BCA as the Engineer-of-Record to provide continue professional services to ensure the quality and overall cost-effectiveness of the project; and

WHEREAS, it is in the City's best interest to waive the competitive RFP selection requirement pursuant to Oakland Municipal Code (OMC) Section 2.04.051.B and have BCA to provide continue professional services under the current contract because it is in the best interests of the City to do so based on the reasons and circumstances cited in this Resolution and the Report that accompanies it; and

WHEREAS, the City Council finds that this contract is for services of a professional nature; and

WHEREAS, the City Council finds that this services under contract will be temporary; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, sufficient funding will be available in the project budget to cover the increase in the contract amount in the following source:

- Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) funding; Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1000820 for the amount of \$184,001.64;
- Measure B Local Grant Match Fund (2211); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1001512 for the amount of \$65,407.56; now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that based on the circumstances set forth in the Agenda Report which accompanies this Resolution, to waive the competitive RFP selection requirement of OMC Section 2.04.051.A, pursuant to OMC Section 2.04.051.B because it is in the best interests of the City, and have Biggs Cardosa Associates Inc provide continue professional services under the current contract; and be it

FURTHER RESOLVED: That the City Administrator or designee, is authorized to amend the professional service contract with Biggs Cardosa Associates Inc for the seismic retrofit of Leimert Boulevard bridge (Project No. 1000820) to increase the contract by an amount not-to-exceed Two Hundred Forty-Nine Thousand Four Hundred Nine Dollars and Twenty Cents (\$249,409.20); 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 increases in compensation, with Biggs Cardosa Associates Inc., 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.

NOV 19 2019

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

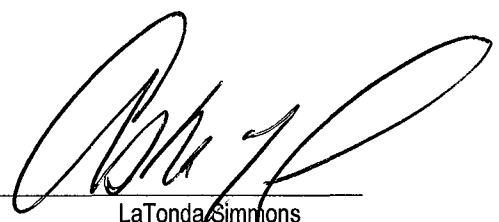
AYES – FORTUNATO-BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO, and PRESIDENT KAPLAN – 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____



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