

2008 JUN 17 11:14:22

OAKLAND CITY COUNCIL

RESOLUTION NO. 80084 C. M. S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL OR QUALIFICATION PROCESS AND AUTHORIZING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENTS WITH PGA DESIGN, INC., WOLFE MASON ASSOCIATES, INC., AMPHION ENVIRONMENTAL, INC., WALLACE ROBERTS & TODD, INC., AND DILLINGHAM ASSOCIATES FOR AS-NEEDED LANDSCAPE ARCHITECTURAL DESIGN SERVICES EACH FOR AN AMOUNT NOT TO EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), BRINGING THE TOTAL AMOUNT FOR EACH CONTRACT TO THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$325,000.00)

WHEREAS, on March 16, 2004, City Council approved Resolution Nos. 78414-78418 C.M.S. awarding professional services contracts to PGA Design, Inc., Wolfe Mason Associates, Inc., Amphion Environmental, Inc., Wallace Roberts & Todd, Inc. and Dillingham Associates each for an amount not to exceed \$250,000.00 for various City projects to provide as-needed landscape architectural design services such as site surveying, site analysis, programming, design services and construction support services; and

WHEREAS, additional landscape architectural services are now required for various projects and for any upcoming, unscheduled projects; and

WHEREAS, the additional as-needed landscape architectural design services and technical assistance will allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

WHEREAS, PGA Design, Inc., Wolfe Mason Associates, Inc., Amphion Environmental, Inc., Wallace Roberts & Todd, Inc., and Dillingham Associates are able to provide the additional as-needed landscape architectural services for various projects; and

WHEREAS, the landscape architectural services will be funded through the various individual projects and funds will be identified prior to the performance of the design services; and

WHEREAS, the amendments to these contracts will not result in additional appropriation of funds; and

WHEREAS, the City Council may waive the requirement for a competitive request for proposal/qualifications process when it is in the best interests of the City; and

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

WHEREAS, the City Council finds and determines that the performance of this contract 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 pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Article 2.04.051.B, the City Council finds and determines that it is in the best interests of the City to waive the requirement for a competitive request for proposal/qualifications in order to complete design services for the various projects in a timely manner and provide contract capacity for unscheduled, urgent projects while awaiting the award of new contracts and authorizes the City Administrator, or her designee, to amend the existing professional services agreements with PGA Design, Inc., Wolfe Mason Associates, Inc., Amphion Environmental, Inc., Wallace Roberts & Todd, Inc., and Dillingham Associates to provide as-needed landscape architectural design services and technical assistance for various projects for an amount not to exceed \$75,000, bringing the total contract amounts to \$325,000.00 for PGA Design, Inc., Wolfe Mason Associates, Inc., Amphion Environmental, Inc., Wallace Roberts & Todd, Inc., and Dillingham Associates; and, be it

FURTHER RESOLVED: That the City Administrator, or 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 the total dollar amount of the agreement, 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 for form and legality by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 25 2006, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND HESPERIAN~~
 ~~BRUNNER~~ - 6

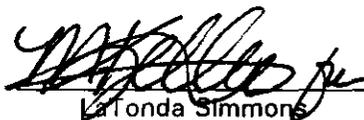
NOES- 0

ABSENT- 1 Brooks

ABSTENTION- 0

Excused- 1 De La Fuente

ATTEST:



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