  
Deputy City Attorney

OFFICE OF THE CITY CLERK  
2008 JAN 10 PM 3:33

**OAKLAND CITY COUNCIL**

**RESOLUTION No. 81063 C.M.S.**

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE ADELINE STREET BRIDGE REPAIR (PROJECT NO. C319710) FOR AN AMOUNT NOT TO EXCEED TWO-HUNDRED FIFTEEN THOUSAND DOLLARS (\$215,000.00)**

**WHEREAS**, the amount of \$215,000.00 is available in Measure “B” ACTIA Funds (2211), Organization (92242), Account (54411), Project No. C319710, for Adeline Street Bridge Repair professional services; and

**WHEREAS**, the project consists of investigation and design of repair for the southerly bridge support, design to provide access behind the northerly support, design to replace bridge expansion joints and to seal the bridge, design to repair the spalls and bridge fence and to provide construction support during construction of the project; and

**WHEREAS**, professional design services are needed to design the project, and extensive outreach effort to request proposals resulted in three responses; and

**WHEREAS**, Biggs Cardosa Associates, Inc. has submitted a proposal to provide full design services, including preparing plans, specifications and cost estimates, holding meetings, and providing services during bidding and construction phases; and

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

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

**WHEREAS**, the City Council finds that services under contract will be temporary; 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 the City Council finds and determines that the service is exempt from competitive bidding pursuant to Section 2.04.05011 of the Oakland Municipal Code; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to negotiate and enter into a professional services agreement with Biggs Cardosa Associates, Inc. to provide professional engineering and related design services for the Adeline Street Bridge Repair Project in an amount for basic services of One Hundred Fifty-Nine Thousand Four Hundred Dollars (\$159,400.00); and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to exceed the amount for basic services for unforeseen contingencies in an amount not to exceed Fifty-Five Thousand Six Hundred Dollars (\$55,600.00); and be it

**FURTHER RESOLVED:** That the total amount of the Agreement, including an amount for unforeseen contingencies is for a total amount not to exceed Two Hundred Fifteen Thousand Dollars (\$215,000.00); 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 agreement except those involving 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 a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB 19 2008**, 2008

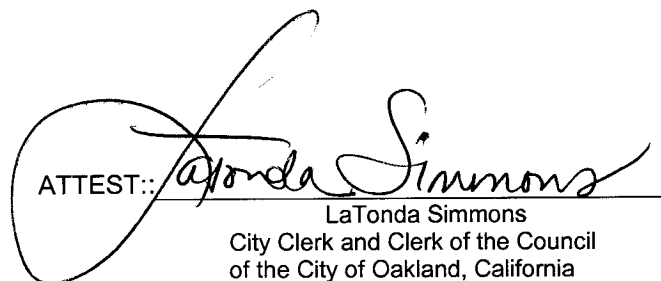
**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

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