

2013 MAY -2 PM 1:23

OAKLAND CITY COUNCIL

Approved as to Form and Legality


Deputy City Attorney

RESOLUTION No. 84374 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH FEHR & PEERS TO COMPLETE THE BROADWAY TRANSIT URBAN CIRCULATOR STUDY IN AN AMOUNT NOT TO EXCEED \$329,200, USING \$299,200 IN CALTRANS URBAN TRANSIT GRANT FUNDS PREVIOUSLY APPROPRIATED BY THE CITY COUNCIL TO COMPLETE THIS STUDY, AND A LOCAL MATCH OF \$30,000 IN PRIOR YEAR ECONOMIC DEVELOPMENT ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the City desires to attract businesses and promote mixed-use development by improving transit connectivity along Broadway from the waterfront to I-580 and MacArthur BART; and

WHEREAS, the City desires to support local businesses, property owners and office tenants by improving downtown and uptown connectivity so that residents, shoppers and workers can more conveniently reach businesses and offices; and

WHEREAS, the City wishes to reduce automobile emissions and improve the environment by replacing Broadway automobile trips with transit trips; and

WHEREAS, on March 15, 2011, the City Council unanimously approved Resolution 83275, C.M.S. authorizing the City Administrator to submit a Caltrans Urban Transit grant application for an amount up to \$300,000, to accept such funding if awarded, and to appropriate such funding for the Broadway Transit Urban Circulator Study (formally called the Broadway Transit Alternatives Analysis Study); and

WHEREAS, Caltrans approved the City's grant application in the amount of \$299,200; and

WHEREAS, grant funds totaling \$299,200 are available in the California Department of Transportation Fund (2140), Economic Development unit (02981), Broadway Study Project (G401940); and

WHEREAS, matching funds totaling \$30,000 are available from the Community Development Block Grant Fund (2108), Economic Development unit (02981), Broadway Study

Project (G401950); and

WHEREAS, through the City's competitive Request for Proposals process, Fehr and Peers was rated as the top-ranked firm available to complete the Broadway Transit Study; and

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

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations by the City of Oakland have been satisfied, because this action is exempt from CEQA review under Article 19, Section 15304 (Minor Alterations to Land) and Article 18, Section 15262 (Feasibility and Planning Studies); now, therefore, be it

RESOLVED: That the City Administrator or his/her designee is hereby authorized to negotiate and enter into a professional services agreement for consulting services with Fehr and Peers, in an amount not exceed three-hundred twenty-nine thousand and two-hundred dollars (\$329,200); and be it

FURTHER RESOLVED: That the work is expected to be completed within a two-year period; and be it

FURTHER RESOLVED: That \$299,200 for the agreement shall come from the California Department of Transportation Fund (2140), Economic Development unit (02981), Broadway Study Project (G401940) and \$30,000 shall come from the Community Development Block Grant Fund (2108), Economic Development unit (02981), Broadway Study Project (G401950); and be it

FURTHER RESOLVED: That the City 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 City Clerk's Office; and be it

FURTHER RESOLVED: That a copy of the executed 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, MAY 21 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and ~~PRESIDENT~~

~~KERNIGHAN~~ - 7

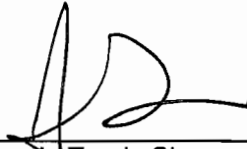
NOES - 0

ABSENT - 0

ABSTENTION - 0

Recused - Kernighan - 1

ATTEST: _____


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