

OAKLAND CITY COUNCIL

Approved as to Form and Legality

RESOLUTION No. _____ C.M.S.

City Attorney

RESOLUTION 1) INCREASING THE PROFESSIONAL SERVICES CONTRACT FOR THE PIEDMONT PINES UTILITY UNDERGROUNDING PROJECT, PHASE II, (PROJECT #1000647) WITH HARRIS AND ASSOCIATES IN AN AMOUNT OF THREE-HUNDRED THIRTY THOUSAND DOLLARS (\$330,00.00), FOR A TOTAL AMOUNT NOT-TO-EXCEED FOUR HUNDRED ELEVEN THOUSAND, SIX HUNDRED THIRTEEN DOLLARS (\$411,613.00); 2) WAIVING THE COMPETITIVE REQUEST FOR QUALIFICATIONS/PROPOSAL SELECTION REQUIREMENT, AND 3) WAIVING LOCAL BUSINESS ENTERPRISE/SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS

WHEREAS, the Piedmont Pines Utility Undergrounding Project was approved by the City Council by Resolution No. 75652 C.M.S. on May 2, 2000; and

WHEREAS, the current phase of the project, the Piedmont Pines Utility Undergrounding, Phase II, is currently under design; and

WHEREAS, a Professional Services Request for Proposals was advertised on October 14, 2016, in accordance with the City of Oakland (City) Administrative Instruction 150, and one (1) response, from Harris Associates, was received by Public Works Contract Services on November 29, 2016, which was evaluated and found responsive; and

WHEREAS Harris Associates was selected and awarded a contract within the City Administrator's authority for an amount of forty-seven thousand five hundred ninety dollars (\$47,590.00) on March 1, 2017 and

WHEREAS The City Council approved a contract amendment with Harris Associates by Resolution No. 88242 C.M.S. on July 28, 2020, which increased the total contract to a revised amount of eighty-one thousand six hundred thirteen dollars (\$81,613.00); and

WHEREAS the associated cost for the consultant services is recoverable when the project is fully funded through a creation of the Piedmont Pines Utility Undergrounding Phase II Project bond; and

WHEREAS Oakland Municipal Code (OMC) section 2.04.051(A) requires a competitive Request For Qualifications/Proposal (RFQ/P) selection process for the purchase of professional services which exceed \$50,000.00; and

WHEREAS, OMC Title 2, Chapter 2.0, Article I, Section 2.04.051(B) provides an exception to the competitive RFP/Q selection requirement when specifically authorized by the City Council after a finding and determination that it is in the best interest of the City; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator’s report accompanying this Resolution that the professional services contract approved hereunder is temporary in 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 services; now, therefore, be it

RESOLVED: That pursuant to OMC 2.04.051(B), the City Council finds and determines that it is in the best interest to waive the competitive RFQ/P selection requirement because no other firms submitted proposals initially for work on the Piedmont Pines Utility Undergrounding, Phase II and the consultant is deemed the most qualified and most responsive and for the reasons stated above and in the City Administrator’s report accompanying this item, and therefore so waives this requirement; and be it

RESOLVED: That the City Administrator is authorized to amend the professional services contract with Harris and Associates for the Piedmont Pines Phase II (Project #1000647) in an amount not-to-exceed Three-Hundred and Thirty Thousand Dollars (\$330,000.00); and be it

FURTHER RESOLVED, That the City Administrator, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement necessary for completion of the Piedmont Pines Phase II project; and be it

FURTHER RESOLVED, That the contract and any subsequent amendments or extensions shall be reviewed and approved by the Office of the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES -

FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

Asha Reed
City Clerk and Clerk of the Council
of the City of Oakland, California