

City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. 86153 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO ENTER INTO PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL HAZARDOUS MATERIALS CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED TWO-HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) EACH, FOR A THREE-YEAR PERIOD FROM JULY 1, 2016 THROUGH JUNE 30, 2019, WITH THE FIRMS: (1) ACC ENVIRONMENTAL CONSULTANTS, (2) NINYO & MOORE, (3) SCA ENVIRONMENTAL, INC., AND (4) SENSIBLE ENVIRONMENTAL SOLUTIONS, INC..**

**WHEREAS**, the City desires to comply with federal, State and local environmental laws at properties that the City owns, operates, plans to acquire or intends to dispose of; and

**WHEREAS**, compliance with federal, State and local environmental laws is a critical component of park and facility renovations, sewer replacements and rehabilitations, streetscaping projects, maintenance operations, and development projects; and

**WHEREAS**, in order to achieve compliance, the City requires the assistance of environmental professionals to conduct asbestos, lead paint and mold analyses, write abatement specifications, monitor air quality, and perform other services related to the protection of human health and environmental resources; and

**WHEREAS**, the City needs to be able to respond quickly to deadlines associated with environmental laws and regulatory mandates, and such responsiveness is most effectively provided through on-call contracts; and

**WHEREAS**, the currently authorized contracts for on-call consulting relating to hazardous materials consulting services in support of all City departments and the former Oakland Redevelopment Agency will expire on June 30, 2016; and

**WHEREAS**, through the City's competitive Request for Qualifications process in accordance with Oakland Municipal Code section 2.04.051 for on-call hazardous materials consulting services, the four firms named in the title were identified as the top-ranked most responsive and qualified consultant teams to provide the desired professional services described herein; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, the City Council finds that the agreements directly or indirectly supports the City Council goal to “Develop a Sustainable City”; and

**WHEREAS**, the City Council finds that the agreements 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 Administrator or his/her designee is hereby authorized to negotiate and enter into a professional services agreements for on-call hazardous materials consulting services with (1) ACC ENVIRONMENTAL CONSULTANTS, (2) NINYO & MOORE, (3) SCA ENVIRONMENTAL, INC., AND (4) SENSIBLE ENVIRONMENTAL SOLUTIONS, INC; and be it

**FURTHER RESOLVED**, That the work shall be assigned on an as-needed basis and the total amount of each contract shall not exceed two-hundred fifty thousand dollars (\$250,000) for a three-year period from July 1, 2016 through June 30, 2019; 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 agreements 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 approved for form and legality by the City Attorney and filed with the City Clerk’s Office; and be it

**FURTHER RESOLVED:** That the Agreements shall be approved for form and legality by the City Attorney and copies shall be kept on file with the City Clerk.

**MAY 03 2016**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

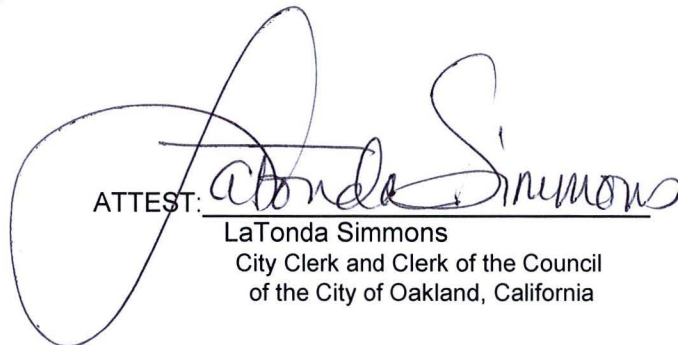
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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