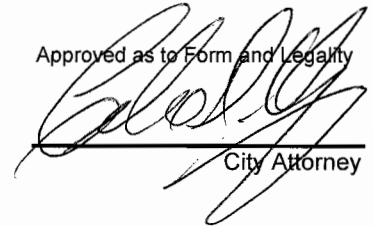


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2013 MAY 16 PM 4:01

OAKLAND CITY COUNCIL
RESOLUTION No. 84428 C.M.S.

Approved as to Form and Legality



City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD AND ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH MOFFATT AND NICHOL ENGINEERS FOR DESIGN AND ENGINEERING SERVICES FOR THE LAKE MERRITT CHANNEL TO BAY TRAIL CONNECTOR PROJECT (NO. C242510) UP TO AN AMOUNT NOT-TO-EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000.00)

WHEREAS, The Estuary Policy Plan, 1999, discusses the significant historical relationship between the Lake, the Channel and the Estuary and noted it is “incongruous that a physical connection between them has not been completed”; and

WHEREAS, the main precursors to this project under Measure DD Program approved by voter in 2003, the 12th Street Improvement Project, Lake Merritt Channel Improvements at 10th Street and the Lake Merritt Channel Pedestrian Improvements at 7th Street all underway, leaving only this project to close the gap between Lake Merritt and the Bay Trail; and

WHEREAS, said project will further the City’s and Regional Bay Trail’s objective of providing a safe continuous multi-use trail system that connects the Oakland Waterfront Bay Trail in the inner harbor to the Lake Merritt trail system; and

WHEREAS, Measure DD Program allocates \$730,000.00 under Fund 5320, Project No C242510 for the preliminary design services; and

WHEREAS, East Bay Regional Park District and San Francisco Bay Trail will each provide \$100,000.00 through the Measure WW Bond and the Bay Trail Program respectively to support the preliminary project planning and design; and

WHEREAS, a request for proposal for the Bay Trail to Lake Merritt Bicycle Pedestrian Bridge Project was issued in 2012 and ten firms submitted qualification proposal for the project; and

WHEREAS, said submittals were reviewed by a committee composed of staff and community representatives and four firms were selected for interview; and

WHEREAS, Moffatt and Nichol Engineers was selected as the firm to provide design services for the bridge project, and

WHEREAS, negotiation was held with the firm; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; 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 the City Council hereby authorizes the City Administrator, or her designee, to award a contract to Moffatt and Nichol Engineers to provide professional services for the Lake Merritt Channel to Bay Trail Connector Project for an amount not to exceed \$2,600,000.00; and be it

FURTHER RESOLVED: That the City of Oakland certifies that the Project is compatible with the land use plans of those jurisdictions immediately surrounding the Project; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized, on behalf of the City of Oakland, to approve any subsequent amendments, modifications, extensions, payment requests and execute all documents and related actions for the completion of said project, without return to Council; and be it

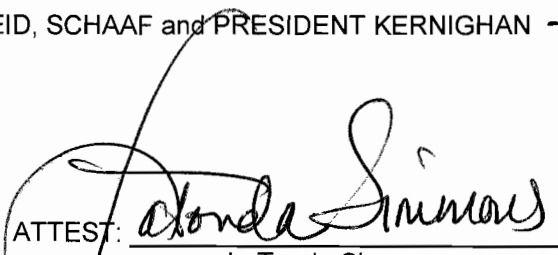
FURTHER RESOLVED: That should additional funds become available and/or received for this project, the City Administrator, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above without return to Council; and be it

FURTHER RESOLVED: That all documents shall be reviewed and approved by City Attorney for form and legality prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 4 2013

PASSED BY THE FOLLOWING VOTE:

AYES -
BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 8
NOES - 0
ABSENT - 0
ABSTENTION - 0

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