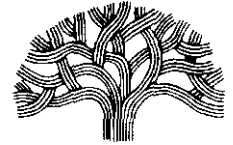


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MARCH 30, 2004

IGNACIO DE LA FUENTE, PRESIDENT  
CITY COUNCIL  
OAKLAND, CALIFORNIA

PRESIDENT DE LA FUENTE AND MEMBERS OF THE CITY COUNCIL

**SUBJECT: RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD, INC., TO PROVIDE DESIGN SERVICES FOR THE LAKE MERRITT MASTER PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000), BRINGING THE TOTAL CONTRACT AMOUNT TO ONE MILLION SEVEN HUNDRED FIFTY FOUR THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$1,754,885)**

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**PURPOSE AND SCOPE**

In accordance with the Measure H Charter Amendment, which was passed by the voters at the General election of November 5, 1996, we have made an impartial financial analysis of the Proposed Resolution and accompanying Agenda Report. In making our analysis we also obtained and reviewed copies of: the City of Oakland Bond Measure DD; the Request for Proposals (RPF) issued in August 2000 regarding the award of the initial contract; Resolution No. 76426 C.M.S. approved on May 8, 2001, together with the accompanying Agenda Report; the Agreement, signed by the City Manager on October 4, 2001; and Amendment # 1 to the Agreement, signed by the City Manager on June 6, 2003.

Since the Measure H Charter Amendment specifies that our impartial financial analysis is for informational purposes only, we did not apply Generally Accepted Government Auditing Standards as issued by the Comptroller General of the United States. Moreover, the scope of our analysis was impaired by Administrative Instruction Number 137, effective May 21, 1997, which provides only one (1) week for us to plan, perform and report on our analysis.

**SUMMARY**

Upon the approval and execution of Amendment No. 2, Wallace Roberts & Todd, Inc. (WRT) will provide design services for key portions of the Lake Merritt Master Plan: (1) the renovation of the Municipal Boathouse; (2) the streetscape, park and roadway reconfiguration design for Lakeside Drive and 14th Street; and (3) the streetscape and park design for the El Embarcadero and Lakeshore Avenue areas. A majority of the roadway reconfiguration design work will be performed independently by others, but WRT will work with the City to develop the overall park and street concepts, and coordinate the individual design components to ensure consistency and adherence to the Master Plan guidelines.

**CONTRACTOR SELECTION PROCESS**

Public Works Agency staff recommends that the Council approve the Proposed Resolution, for the following reasons:

- WRT was recommended to develop the Lake Merritt Master Plan through a competitive process, and the selection was approved pursuant to Resolution No. 76426 C.M.S, dated May 8,2001,
- According to the Agenda Report that accompanied Resolution No. 76426, it was the intention of the City to utilize the services of WRT to potentially provide complete design services throughout the life of the Master Plan project.
- WRT will perform only about 5 percent of the dollar volume of design work scheduled to be done under Measure DD. The other 95 percent will be open to other designers.
- WRT has demonstrated that it can provide the necessary services, and is familiar with the details of the Lake Merritt Master Plan components.
- Issuing a new Request for Proposals will delay the projects.

**FISCAL IMPACT**

With the approval of the Proposed Resolution, the total contract amount will be \$1,754,885, as summarized below:

<b><u>Description</u></b>	<b><u>Amount</u></b>
Original contract - October 4, 2001	\$ 489,904
Amendment # 1 – June 6,2003	<u>14,981</u>
Subtotal	504,885
Proposed amendment #2	<u>1,250,000</u>
Total	\$ <u>1,754,885</u>

The various projects outlined in the Lake Memtt Master Plan are funded by the City of Oakland Bond Measure DD, which was passed by the citizens of Oakland in the November 2002 general election. Specific funding for the work to be performed by WRT has been appropriated as **part** of the first series bond allocation under Fund 5320, Account 54411, and Project Nos. C241910, C242110, C242310, and C242410.

In accordance with City Policy, Contract Compliance and Public ~~At~~ assessment fees will be assessed and allocated from the Measure DD funded projects.

### CONCLUSION


The Proposed Resolution appears *to* be reasonable.

Prepared by:

  
Jack McGinity, CPA

Report completion date:  
March 4, 2004

Issued by:

  
Roland E. Smith, CPA, CFS  
City Auditor