

2005 NOV 28 PM 5:07

OAKLAND CITY COUNCIL
79650

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH T.Y. LIN INTERNATIONAL/EARTHTECH, JOINT VENTURE (PREVIOUSLY KNOWN AS CCS PLANNING AND ENGINEERING/J. MULLER INTERNATIONAL, JOINT VENTURE) FOR THE LAKE MERRITT CHANNEL BRIDGE REPLACEMENT PROJECT (PROJECT NO. G121810) TO EXTEND THE CONTRACT AND INCREASE THE SCOPE OF WORK AND THE CONTRACT AMOUNT BY TWO HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$245,000.00) FOR A TOTAL AMOUNT NOT-TO-EXCEED ONE MILLION THREE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$1,345,000.00), AND TO APPROPRIATE TO THE PROJECT AN ADDITIONAL THREE HUNDRED FOUR THOUSAND DOLLARS (\$304,000.00) IN FEDERAL HIGHWAY FUNDS

WHEREAS, on October 25, 1999, the City issued a Request for Proposals (RFP) for professional civil engineering services for the Lake Merritt Channel Bridge Replacement Project (Project No. G121810), and five firms responded to the RFP; and

WHEREAS, T.Y. Lin International/EarthTech, Joint Venture was selected for contract award; and

WHEREAS, on February 13, 2001, the contract was awarded by Council Resolution No. 76282 C.M.S. to T.Y. Lin International/EarthTech, Joint Venture (previously known as CCS Planning and Engineering/J. Muller International, Joint Venture) for an amount not to exceed \$1,100,000.00 and the contract was fully executed on December 3, 2001; and

WHEREAS, additional work is needed due to delays in the environmental process which will increase the project costs; and

WHEREAS, on September 23, 2005, the City received additional federal and state funds for the project in the amount of \$304,000.00; and

WHEREAS, tasks and progress achieved have reached the 40% completion level and 100% final construction documents is scheduled to occur in December 2006; and

WHEREAS, it is in the interest of the City from a liability and practical perspective to have T.Y. Lin International/EarthTech, Joint Venture resume and complete the services under this contract; and

WHEREAS, with the appropriation of the additional \$304,000.00 in federal funds, the required balance for the contract will be available in Lake Merritt Channel Bridge Replacement Project (G121810), Department of Transportation Fund (2116), Capital Improvement Projects-Streets and Structures Organization (92242), Architectural and Engineering Services Account (54411); and

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

WHEREAS, the City Council finds that services under contract will be temporary; and

WHEREAS, Council finds that this contract 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 her designee, is hereby authorized to enter into Amendment No. 1 to the contract with T.Y. Lin International/EarthTech, Joint Venture (previously known as CCS Planning and Engineering/J. Muller International, Joint Venture) to extend the contract and increase the scope of services and contract by an amount not-to-exceed two hundred forty five thousand dollars (\$245,000.00), for a total contract amount not-to-exceed one million three hundred forty five thousand dollars (\$1,345,000.00); and, be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement, provided that such amendments or extensions shall be filed with the City Clerk's Office; and, be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to appropriate an additional three hundred four thousand dollars (\$304,000.00) in federal highway funds into the project; and, be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 20 2005, 2005

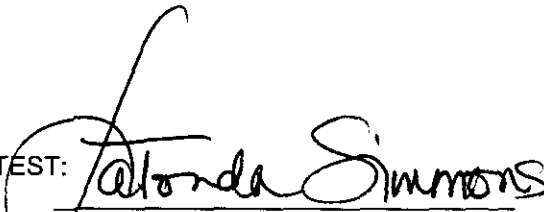
PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California