

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 86444 C.M.S. TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$24,508.61 FROM \$965,000.00 TO A TOTAL CONTRACT AMOUNT OF \$989,508.61 AND AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO MAKE FINAL PAYMENT FOR SERVICES RENDERED BY ANEWAMERICA COMMUNITY CORPORATION (ANA) FOR PROVIDING TECHNICAL ASSISTANCE FOR BUSINESSES ALONG THE BUS RAPID TRANSIT ROUTE (BRT) IN OAKLAND DURING THE EFFECTIVE DATE OF AN EXTENDED CONTRACT.

WHEREAS, as a Condition of Approval for the East Bay Bus Rapid Transit (“BRT”) project, the Oakland City Council and the AC Transit Board of Directors adopted and committed to fund a Business Sustainability Program (“BSP”) to support businesses along the BRT route during construction and when the BRT goes operational; and

WHEREAS, the agreement between the City and AC Transit includes the establishment of a Business Technical Assistance Element as part of the BSP; and

WHEREAS, the City Council authorized the appropriation of up to \$2,500,000 from AC Transit by Resolution No. 85284 C.M.S. on November 18, 2014 to support the City’s BSP; and

WHEREAS, the City Council authorized a contract for \$965,000 to AnewAmerica Community Corporation (“ANA”) by Resolution No. 86444 C.M.S. on October 18, 2016 to provide technical assistance for businesses along the BRT route in Oakland effective September 21, 2016 through September 30, 2018; and

WHEREAS, on October 1, 2018, the contract for ANA was extended until December 31, 2019; and

WHEREAS, in order to transition technical assistance activities provided by ANA for the BRT project to the City, additional assistance from ANA was needed even though ANA exhausted the funds from their contract by August 31, 2019; and

WHEREAS, ANA submitted for payment two invoices of \$23,508.61 for transition activities incurred during the effective date of the extended contract; and

WHEREAS, during the effective date of the extended contract, an invoice \$487.50 was issued to ANA by its subcontractor Fehr & Peers for BRT-Related Parking and Traffic Analysis, which is unpaid; now, therefore, be it

RESOLVED: That the City Council authorizes the amendment of Resolution No. 86444 C.M.S. to increase the not-to-exceed amount from \$965,000.00 to a not-to-exceed amount of \$989,508.61; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator or his or her designee to increase the contract with ANA by an amount of \$24,508.61 from \$965,000.00 to a total contract amount of \$989,508.61; and be it

FURTHER RESOLVED: That the City Council authorizes the payment of \$24,508.61 from Miscellaneous Grants Fund (2999), Housing and Community Development Administration (89919), Professional Services Account (54930), LS&R AC Transit BRT Project (1001615), Administration to be Allocated Program (AD01) to ANA for services rendered during the effective date of the extended contract with ANA; and be it

FURTHER RESOLVED: That based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That the City Administrator or his or her designee is hereby authorized to spend funds and take other action with respect to the adopted budget and authorized contracts consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That all agreements executed pursuant to the Resolution shall be approved as to form and legality by the City Attorney's Office and filed with the City Administrator's Office.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR,
THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the
Council of the City of Oakland, California