Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 87656 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A TWO-YEAR AGREEMENT, FROM JULY 1, 2019 TO JUNE 30, 2021, WITH THE LAKE MERRITT INSTITUTE FOR PROFESSIONAL SERVICES TO PROVIDE CLEANUP, MAINTENANCE, MONITORING, VOLUNTEER COORDINATION, TECHNICAL ASSISTANCE, AND PUBLIC OUTREACH RELATED TO LAKE MERRITT, AND APPROPRIATE AN AMOUNT NOT TO EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS ($390,000.00), WITH AN OPTION TO EXTEND THE CONTRACT FOR TWO ADDITIONAL YEARS THROUGH JUNE 30, 2023, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS ($390,000.00), BASED ON SATISFACTORY CONTRACTOR PERFORMANCE.

WHEREAS, Lake Merritt has been listed by the Environmental Protection Agency of the State of California on its 303d list of "Impaired Water Bodies" for high levels of trash and low dissolved oxygen, and the City is required to reduce litter in and around the lake and increase dissolved oxygen; and

WHEREAS, the City Council finds that this contract will further efforts to de-list Lake Merritt from the State of California 303d list and fulfill the State of California Regional Water Quality Control Board requirements for the City of Oakland, and avoid federal and State Clean Water Act violations and penalties; and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific, and technical nature that promote the delivery of comprehensive services related to Lake Merritt; and

WHEREAS, proposals to implement the program were solicited through a request for proposals (RFP) process and the nonprofit organization, Lake Merritt Institute ("LMI"), submitted the only response; and

WHEREAS, LMI's submittal was evaluated and LMI's prior experience including previous experience managing the Clean Lake Contract was found satisfactory; and

WHEREAS, LMI meets the City's Local and Small Local Business Enterprise (L/SLBE) requirements and complies with the Equal Benefits Ordinance (EBO); and

WHEREAS, the City 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 is hereby authorized to enter into a contract agreement, subject to the review and approval of the City Attorney, with the Lake Merritt Institute, to provide professional services for cleanup, maintenance, monitoring, volunteer coordination, technical assistance and public outreach related to Lake Merritt for a two-year contract with an option to extend for two additional years for an amount not to exceed three hundred ninety thousand dollars ($390,000.00); and be it

FURTHER RESOLVED: That all expenditures related to this proposed contract shall be allocated in the Recycling Fund (1710) and Sewer Service Fund (3100); Environmental Services: Environmental Remediation Organization (30683); Services: Miscellaneous Contract Account (54919); Clean Lake Contract Project (1001514); and Sustainable Oakland Program (SC26); and be it

FURTHER RESOLVED: That proposed contract expenditure allocations for Fiscal Year 2019-2020 and Fiscal Year 2020-2021 will be contingent upon Council adoption of the budget; and be it

FURTHER RESOLVED: That the City Administrator is authorized to exercise the option to renew the agreement for two additional years without returning to Council, provided that such option shall be subject to a signed contract amendment, review and approval of the City Attorney and filed with the City Clerk's Office; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,   **MAY - 7 2019**

PASSED BY THE FOLLOWING VOTE:

AYES -   FORTUNATO BAS, GALLO, ~~GIBSON MCELHANEY~~ KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN —7
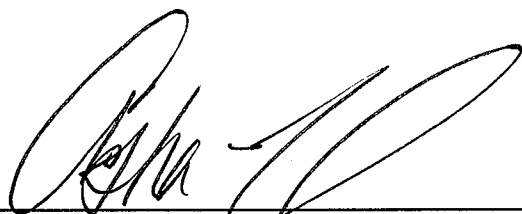
NOES – 0

ABSENT – 0

ABSTENTION – 0

Excused- 1 McElhaney

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