


Celso Ortiz (Nov 3, 2021 09:42 PDT)

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION (“RFP/Q”) REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT WITH: 1) RPR ARCHITECTS BY AN AMOUNT NOT-TO-EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) TO SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) AND 2) DIALOG DESIGN (FORMERLY BYRENS KIM DESIGNWORKS) BY AN AMOUNT NOT-TO-EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) TO FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00).

WHEREAS, RPR Architects and Dialog Design (formerly Byrens Kim Designworks) were chosen through the City’s Request for Qualifications (RFQ) process to provide architectural services for City of Oakland projects on an on-call basis; and

WHEREAS, staff utilized the on-call contract with RPR Architects for the Facilities Renovation Projects to commence the programming/planning, schematic design, design development, and preparation of construction documents for Main Library Phase 2, Fire Stations 16 and 10 Building Renovation Projects, funded by the Affordable Housing and Infrastructure Bond (Measure KK); and

WHEREAS, staff utilized the on-call contract with Dialog Design for Downtown Asset Inventory Project to commence the site investigation, documentation and recommendations for 150 Frank Ogawa, 250 Frank Ogawa and 1 City Hall Heating, Ventilation and Cooling systems, funded by the Deferred Maintenance Fund (Fund 4400); and

WHEREAS, implementation of these important facility renovations is critical to meet the Oakland Public Library, Fire Department and Public Works operational needs, and to meet the City’s Equitable Climate Action Plan (ECAP) goals, passed by Council in July 2020; and

WHEREAS, additional design services are required and the existing contract for on-call services lacks sufficient capacity to complete the projects; and

WHEREAS, RPR Architects is a small, woman-owned business and complies with all Local Business Enterprise/Small Local Business Enterprise requirements established in Oakland for 30 years and Dialog Design is a small business and complies with all Local Business Enterprise/Small Local Business Enterprise requirements established in Oakland for 40 years; and

WHEREAS, it is in the best interest of the City to continue utilizing RPR Architects to complete construction bid documentation, for additional construction support services, contingency for unforeseen conditions and potential additional design services that may occur during the construction of the project and to continue utilizing Dialog Design to complete site investigation, reporting and recommendations toward the planning for replacement of the Heating, Ventilation and Cooling systems; and

WHEREAS, funding for professional services are currently budgeted in the project from the Bond Measure KK Fund (5330), Capital Project Management Organization (92270), Consultant Services Account (54411), Building - Fixed Asset Account (57211) in Renovation Projects (1004859, 1003439) and Deferred Maintenance Fund (4400); and

WHEREAS, Section 2.04.051 B of the Oakland Municipal Code, authorizes the City Council to waive the competitive Request for Proposals/Request for Qualifications (“RFP/RFQ”) selection requirement of Section 2.04.051 A of the Oakland Municipal Code upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of the critical schedule for project planning and implementation; and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific or technical nature; and

WHEREAS, the City Council finds that services under the contract will be temporary in nature 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 pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement of Section 2.04.051(A) of the Oakland Municipal Code in order to expedite the completion of the design and construction support services for the facilities renovations at Main Library, Fire Station 6 and 10 and the completion of site investigation, report and recommendation for the Downtown Asset Inventory project, and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to execute Amendment No. 1 to increase the agreement with: 1) RPR Architects by an amount not-to-exceed one hundred fifty thousand dollars (\$150,000.00), bringing the total contract amount from five hundred thousand dollars (\$500,000.00) to six hundred fifty thousand dollars (\$650,000.00) and 2) Dialog Design by an amount not-to-exceed fifty thousand dollars (\$50,000.00), bringing the total contract amount from five

hundred thousand dollars (\$500,000.00) to five hundred fifty thousand dollars (\$550,000.00) 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; and, be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California