



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO (1) WAIVE THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE REQUIREMENTS AND REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) COMPETITIVE PROCESS; (2) EXECUTE CONSTRUCTION CONTRACTS IN A TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED TWELVE THOUSAND SEVENTY-EIGHT THOUSAND DOLLARS AND FORTY-FOUR CENTS (\$312,078.44) FOR CAPITAL REPAIRS AND REPLACEMENT AT FEATHER RIVER CAMP LOCATED AT 5469 OAKLAND CAMP ROAD, QUINCY, CA 95971 WITH (A) ACKLEY ENGINEERING TO REPLACE THREE SEPTIC TANKS AND DRAIN SYSTEMS IN A TOTAL AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-FIVE THOUSAND SEVEN HUNDRED SIXTY-TWO DOLLARS (\$225,762) AND (B) AQUA 1, INC. TO REPLACE A DRINKING WATER SYSTEM IN A TOTAL AMOUNT NOT TO EXCEED EIGHTY-SEVEN THOUSAND TWO HUNDRED SIXTEEN DOLLARS AND FORTY-FOUR CENTS (\$87,216.44); AND (3) ADOPT APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the U.S. Department of Agriculture Forest Service owns a 37.58 acre real property located outside of Quincy, California known as the Oakland Feather River Camp; and

WHEREAS, since 1924, the Forest Service has issued the City a Special Use Permit to provide outdoor recreational programming, art and cultural activities in a summer camp environment at Oakland Feather River Camp; and

WHEREAS, in 1995, the City executed a 25-year Special Use Permit, which was renewed until December 31, 2043, pursuant to Resolution No. 90017 C.M.S. adopted on December 5, 2023; and

WHEREAS, pursuant to the Special Use Permit, the City has a license agreement with the non-profit Camps In Common (CIC) to provide outdoor programming at the camp; and

WHEREAS, the current license agreement between CIC and the City expired in 2021, and the City Council adopted Ordinance No. 13776 C.M.S. on December 19, 2023, authorizing a new license agreement for a five-year term until December 31, 2028, with three five-year options to extend until no later than December 31, 2043; and

WHEREAS, under the current and proposed new license agreement, the City of Oakland is responsible for the repair and replacement of the water and sewage systems; and

WHEREAS, the 5,000-gallon septic tanks, drain field, and 14-year-old drinking water filtration system at Oakland Feather River Camp have reached the end of their service life and needs to be replaced; and

WHEREAS, the contractor Ackley Engineering has provided a cost estimate of Two Hundred Twenty-Five Thousand Seven Hundred Sixty-Two Dollars (\$225,762) to replace three septic tanks and a leach field, which is a vital component of the septic system; and

WHEREAS, the contractor Aqua 1, Inc. has provided a cost estimate of Eighty-Seven Thousand Two Hundred Sixteen Dollars and Forty-Four Cents (\$87,216.44) to replace the drinking water system; and

WHEREAS, pursuant to Section 2.04.050(I)(5), staff requests that the City Council make a finding and determination that it is in the best interests of the City to waive the Local/Small Local Business Enterprise (L/SLBE) requirements and competitive Request for Proposal/Qualification (RFP) competitive solicitation process because the Oakland Feather River Camp is located in Quincy, California, an approximately five (5) hour drive from Oakland, which would be cost-prohibitive for local contractors due to travel costs, and because there are a limited number of contractors available to perform the tasks due to the camp's isolated location; and

WHEREAS, the proposed replacement and repair of the septic tanks and leach field will ensure the effluent wastewater leaches into the ground so that it does not remain on the soil surface or enter the creek; and

WHEREAS, replacement of the drinking water system ensures the availability of potable water for campers and staff at the Oakland Feather Camp; now, therefore, be it

RESOLVED: That the City Administrator is authorized to enter into a construction services agreement with Ackley Engineering to replace three septic tanks and drain systems in a total amount not to exceed Two Hundred Twenty-Five Thousand Seven Hundred Sixty-Two Dollars (\$225,762); and be it

FURTHER RESOLVED: That the City Administrator is authorized to enter into a construction services agreement with Aqua 1, Inc. to replace a drinking water system in a total amount not to exceed Eighty-Seven Thousand Two Hundred Sixteen Dollars and Forty-Four Cents (\$87,216.44); and be it

FURTHER RESOLVED: That emergency funds in a total amount not to exceed Three Hundred Twelve Thousand Nine Hundred Seventy-Eight Dollars and Forty-Four Cents (\$312,978.44) for the proposed construction services agreements are available in Facilities Fund 4400, Facilities Administration Org 30551, Emergency Repair Account 1004235; and

FURTHER RESOLVED: That the City Council finds and determines that pursuant to Section 2.04.050(I) of the Oakland Municipal Code and based upon the reasons stated above and in the City Administrator's Agenda Report accompanying this resolution, it is in the best interest of the City to waive the RFP/Q process for the proposed construction agreements, and hereby waives the RFP/Q requirements; and be it

FURTHER RESOLVED: That the City Council finds it is in the best interest of the City to waive the L/SLBE requirements for the proposed construction agreements to replace the septic and drinking water systems, and hereby waives these requirements; and be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and finds and determines that the proposed replacement of septic and drinking water systems at the Oakland Feather River Camp is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (existing facilities), 15307 (protection of natural resources), and 15308 (protection of the environment); and be it

FURTHER RESOLVED: That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption or Notice of Determination for each project as appropriate; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any other action with respect to the construction services agreements consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the City Attorney's Office and executed copies of each agreement shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST:

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