

RESOLUTION NO. 24-___

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Third Amendment To The Professional Services Contract With Urban Planning Partners For Preparation Of A CEQA-Compliant Environmental Document For The 5801 Christie Avenue Mixed Use Project, Increasing The Contract Amount By \$252,316 For An As Amended Total Not To Exceed \$716,558, And Appropriating \$252,316 From Unallocated Measure BB Local Streets and Roads Funds (Fund 242) To The Fiscal Year 2023-2024 Operating Budget For Planning Reimbursables - Professional Services (Account 1725-80050)

WHEREAS, on September 20, 2022, the City Council adopted Resolution No. 22-123, authorizing the City Manager to execute a Professional Services Contract with Urban Planning Partners (UPP) to prepare an environmental analysis under the California Environmental Quality Act (CEQA) that evaluates the potential impacts of the 5810 Christie Avenue Mixed Use Project (the "Project") for an amount not to exceed \$315,234; and

WHEREAS, on June 20, 2023, the City Manager executed Amendment No. 1 to the Professional Services Contract with UPP to extend the completion time for delivery of services; and

WHEREAS, on July 18, 2023, the City Council adopted Resolution No. 23-093 authorizing the execution of Amendment No. 2 to the Professional Services Contract with UPP increasing the contract amount by \$149,008 to an as amended total of \$464,242, and amending the scope of services to include analysis of the City's "Emeryville Loop" Capital Improvement Program (CIP) project in the environmental analysis of the Project; and

WHEREAS, the City desires to have UPP provide professional civil engineering design services for the Emeryville Loop project including feasibility analysis and preliminary design; and

WHEREAS, the City finds that specialized knowledge, skills, and training are necessary to render the aforementioned services; and

WHEREAS, the City has determined that UPP and their sub-consultant team is qualified by training and experience to render such services; and

WHEREAS, UPP desires to provide such services and has submitted a proposal dated March 20, 2024 to provide these additional services for an additional fee not to exceed \$252,316; and

WHEREAS, City staff have prepared a proposed Amendment No. 3 to the Professional Services Contract with UPP to provide the additional services; and

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WHEREAS, the public interest will be served by this proposed amendment; now, therefore be it

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute Amendment No. 3 to the Professional Services Contract with Urban Planning Partners, Inc. in substantial form attached hereto as Exhibit A, increasing the contract amount by \$252,316, for as amended total contract amount not to exceed \$716,558 and amending the Scope of Services to include additional services associated with the Emeryville Loop project; and be it further

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute further amendments to the Professional Services Contract with Urban Planning Partners, Inc. provided such amendments do not materially increase the City’s obligations or cost thereunder; and be it further

RESOLVED, that the City Council of the City of Emeryville hereby amends the Fiscal Year 2023-2024 budget by appropriating \$252,316 from unallocated Measure BB Local Streets and Roads funds (Fund 242) to the budget for Planning Reimbursables – Professional Services (account 1725-80050).

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, May 21, 2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:
John Kennedy
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CITY ATTORNEY