

RESOLUTION NO. 16-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMERYVILLE AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LSA ASSOCIATES TO INCREASE THE MAXIMUM COMPENSATION BY \$16,485 FOR A TOTAL AMOUNT NOT TO EXCEED \$411,300 FOR ENVIRONMENTAL ANALYSIS OF THE PROPOSED SHERWIN WILLIAMS MIXED USE PROJECT

WHEREAS, on October 7, 2014, the City Council authorized the City Manager to execute a Professional Services Agreement with LSA Associates (LSA) to prepare an Environmental Impact Report to evaluate the potential impacts of the proposed Sherwin Williams Mixed Use Project; and

WHEREAS, on November 3, 2015, the City Council authorized the City Manager to enter into a first amendment to the Professional Services Agreement to revise the scope of work to include more detailed alternatives analysis, and

WHEREAS, on February 2, 2016, the City Council authorized the City Manager to enter into a second amendment to the Professional Services Agreement to revise the scope of work to include additional transportation and visual analysis; and

WHEREAS, on April 19, 2016, the City Council authorized the City Manager to enter into a third amendment to the Professional Services Agreement to revise the scope of work to include additional analysis and effort required to complete the Final EIR, Draft Findings and Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program, and attend meetings and hearings; and

WHEREAS, it is now necessary to revise the scope of work to include analysis of and responses to comment letters received on the Response to Comments (RTC) document and to attend two additional hearings on the approvals for the project; and

WHEREAS, the City desires to have LSA provide the additional services contemplated by this amendment; and

WHEREAS, the City has determined that LSA is qualified by training and experience to render such services; and

WHEREAS, LSA desires to provide such services and has submitted a proposal dated August 10, 2016 which is attached to the proposed Fourth Amendment; and

WHEREAS, the public interest will be served by this Fourth Amendment; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to enter into a Fourth Amendment to the Professional Services Agreement with LSA Associates in the form attached hereto as Attachment A, to increase the maximum compensation by \$16,485 for a total amount not to exceed \$411,300.

ADOPTED by the City Council of the City of Emeryville at a regular meeting held Tuesday, September 6, 2016 by the following vote:

AYES:
NAYES:
ABSTAIN:
ABSENT:

MAYOR

ATTEST:

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael Quinn", is written over a horizontal line.

CITY CLERK

CITY ATTORNEY