

RESOLUTION NO. 16-____

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Fifth Amendment To The Professional Services Agreement With LSA Associates To Increase The Maximum Compensation By \$5,000 for A Total Amount Not To Exceed \$416,300 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 alternative 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, on September 6, 2016, the City Council authorized the City Manager to enter into a fourth amendment to the Professional Services Agreement 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, it is now necessary to revise the scope of work to include additional project management time and the preparation of additional analysis and effort required to respond to the additional comments on the RTC and attendance at additional project approval hearings; 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 October 4, 2016 which is attached to the proposed Fifth Amendment; and

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

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to enter into a Fifth Amendment to the Professional Services Agreement with LSA Associates in the form attached hereto as Attachment A, to increase the maximum compensation by \$5,000 for a total amount not to exceed \$416,300.

ADOPTED by the City Council of the City of Emeryville at a regular meeting held Tuesday, November 1, 2016, by the following vote:

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

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY