

**RESOLUTION NO. 21-\_\_\_\_\_**

**Resolution Of The City Council Of The City Of Emeryville Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Professional Services Contract With Econolite Systems, Inc., For An Additional Amount Not To Exceed \$146,342.00 For The Emeryville Innovative Deployment To Enhance Arterials (IDEA) Project, For A Total Contract Amount Not To Exceed \$679,349.00; Appropriating \$136,936 Of MTC IDEA Grant Funding In FY2021/2022 To CIP Project No. 20254001; Transferring and Appropriating \$245,000 from CIP Project No. 1645036 Fund 475 to CIP Project No. 20254001 Fund 475**

**WHEREAS**, on July 21, 2020, the City Council passed Resolution 20-79 authorizing the City Manager to execute a Professional Services Agreement with Econolite Systems, Inc. ("Contractor") for an amount not to exceed \$533,007 for project management, vendor supply, and delivery/installation/verification of equipment for the Emeryville Innovative Deployments to Enhance Arterials (IDEA) Project ("Project"); and

**WHEREAS**, the Contractor has completed delivery and installation of equipment related to the Automated Traffic Management System (ATMS) element of the Project; and

**WHEREAS**, during QA/QC work for the ATMS system, the Contractor found issues with traffic signal timings and video detection configurations that would make it difficult to implement the Project as originally intended; and

**WHEREAS**, the Contractor and Staff have agreed on a scope of work that is required to fully implement the elements of the Project as described in Exhibit A-1 of the First Amendment Professional Services Contract; and

**WHEREAS**, the Contractor has proposed to provide this additional service for an additional fee not to exceed \$146,342.00 for a new contract amount not to exceed a total amount of \$679,349; and

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

**WHEREAS**, the following adjustment in funds is required to fund the Econolite contract:

Project	Fund	Amount
16475036	475	(\$245,000)
20254001	475	\$245,000

With the above budget amendment adequate funds are available in CIP Project 20254001 to fund the Econolite Systems, Inc. contract as follows:

	Fund	Amount
Original Contract	254-20254001 (MTC)	\$178,782.32
	254-20254001 (ACTC)	34,383.68

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	475-20254001	319,841.00
	Subtotal	533,007.00
1 <sup>st</sup> Amendment	254-20254001 (MTC)	122,737.04
	254-20254001 (ACTC)	23,604.96
	Subtotal	146,342.00
	<b>Grand Total</b>	<b>\$679,349.00</b>

And;

**WHEREAS**, an additional \$136,936 of revenues from the MTC IDEA Grant funding is required for Fiscal Year 2021/2022 in CIP Project No. T-10 (Account 254-20254001) to cover the additional contract amount; now, therefore, be it

**RESOLVED**, by the City Council of the City of Emeryville that \$245,000 from CIP Project No. 116475036 Fund 475 be transferred and appropriated to CIP Project No. 20254001 Fund 475 and be it further

**RESOLVED**, that \$136,936 of MTC IDEA Grant funding for Fiscal Year 2021/2022 in CIP Project No. T-10 (Account 254-20254001) be appropriated; and, be it, further

**RESOLVED**, by the City Council of the City of Emeryville that the City Manager is authorized to execute a First Amendment to the Professional Services Contract with Econolite Systems, Inc. in the form attached hereto as Exhibit A-1, for an additional amount not to exceed \$146,342.00, for a total contract amount not to exceed \$679,349.00.

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**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, July 6, 2021, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY CLERK

DocuSigned by:  
*Andrea Visveshwara*  
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\_\_\_\_\_  
INTERIM CITY ATTORNEY

**ATTACHMENTS**

- 1<sup>st</sup> Amendment Professional Services Contract
- Exhibit A-1 – Additional Scope of Work
- Attachment A - Original Professional Services Contract