



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
September 19, 2006

To: Honorable Mayor and
Members of the City Council

From: *PK* Phil Kamlarz, City Manager

Submitted by: Phil Kamlarz, City Manager

Subject: Contract: Planning and Consultation Services

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during the City Council recess to execute an amendment to the contract with Vivian Kahn of Kahn/Mortimer Associates increasing the amount by \$10,645 for a total amount not to exceed \$35,644 for the completion of the mandated CEQA review for the Corporation Yard seismic safety project.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

Urgent work with this firm could not proceed without the contract amendment.

FISCAL IMPACTS OF RECOMMENDATION

The City paid the outstanding amount due from the Sanitary Sewer Fund (Fund 830) from funds set aside for the Corporation Yard seismic safety project. The services provided were to complete the mandated CEQA review for the project.

CURRENT SITUATION AND ITS EFFECTS

Since June, 2005, Kahn Mortimer Associates has provided the City with consultation support on a variety of projects that warranted additional staff support such as the U.C. Berkeley Long-Range Development Plan; review of the Lawrence Berkeley National Laboratory's capital project and long-range planning efforts; review of the U.C. Berkeley Southeast Campus Integrated Projects CEQA materials; as well as other disaster mitigation and community safety planning.

In the last fiscal year, unanticipated work emerged in the review process for the retrofit of the Ratcliff Building in the Corporation Yard. The City secured a \$2.9 million Pre-disaster Mitigation Grant from the Federal Emergency Management Agency that can partially fund relocation of staff into portable buildings and the retrofit work itself. To accept the grant, the City was obliged to conduct all the CEQA qualifying work for the project before any work could proceed. This included having a historical architect evaluate the site to determine if any environmental or archeological issues would result from the ground-disturbing activities

associated with the capital project. Because the grant funding would have been jeopardized, the City had to accomplish the environmental review work as quickly as possible so that portable buildings could be located at the site and staff could move out of the hazardous, unreinforced masonry Ratcliff Building.

Carey and Associates, a firm with extensive CEQA and historic review experience, completed the CEQA review work. This effort was coordinated by Kahn Mortimer Associates and involved extensive consultation with FEMA's Environmental and Historic Preservation Office, as well as the State Historic Preservation Office. Assessing complex state and federal requirements the environmental and historic aspects of the project necessitated the expertise of the two firms. The assessment evaluation was quickly completed, safeguarding the City's eligibility for the federal funding.

BACKGROUND

The City Council approved the application for the federal funding on September 16, 2003 with approval of Resolution No. 62,220-N.S. to seismically retrofit the Ratcliff Building at the City's Corporation Yard. To accept the federal funding, CEQA project evaluation was required and Kahn Mortimer Associates, working with Carey and Associates, did this work on an expedited basis.

RATIONALE FOR RECOMMENDATION

The City will benefit from supplemental funding to complete a safety project it has long deferred. The Ratcliff Building is one of the last unreinforced masonry buildings in the municipal inventory and must be reconstructed to meet local, state and federal safety requirements.

ALTERNATIVE ACTIONS CONSIDERED

Staff briefly contemplated declining the federal funding for the project, but decided against that.

CONTACT PERSON

Arrietta Chakos, Assistant City Manager

981-7000

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

AMENDMENT TO THE CONTRACT WITH KAHN MORTIMER ASSOCIATES FOR
PLANNING AND CONSULTATION SERVICES FOR CEQA REVIEW FOR THE
CORPORATION YARD SEISMIC SAFETY PROJECT

WHEREAS, the City of Berkeley must seismically retrofit the Ratcliff Building; and

WHEREAS, the Ratcliff Building was eligible for Pre-Disaster Mitigation Grant funds from the Federal Emergency Management Agency; and

WHEREAS, the federal agency required a Corporation Yard site evaluation to identify if any potential environmental or historical impacts would result from the proposed project; and

WHEREAS, the City of Berkeley had to complete the project review work very quickly to protect the federal funding; and

WHEREAS, the City's consulting firm, Kahn Mortimer Associates, was able to expeditiously undertake and monitor the needed work; and

WHEREAS, an existing contract allowed the City to pay for the work that needed to be done within the needed project timelines; and

WHEREAS, Kahn Mortimer will have additional work with the City this fiscal year.

WHEREAS, funds were available in the Sanitary Sewer Fund (Fund 830) to cover the unanticipated project costs; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it ratifies the actions of the City Manager taken during Council recess to increase the amount of Contract #6672 by \$10,645 for a total not to exceed \$35,644 for FY 2007 for the completion of the mandated CEQA review for the Corporation Yard seismic safety project.