



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, Oakland Department
of Transportation

SUBJECT: Accept and Appropriate Clean
California Funds

DATE: January 18, 2022

City Administrator Approval

Date: Feb 3, 2022

RECOMMENDATION

Staff Recommends That City Council Adopt A Resolution:

- 1. Authorizing The City Administrator To Accept And Appropriate Clean California Funds Totaling Nine Million Nine Hundred Twenty-One Thousand Five Hundred Eighty-Seven Dollars (\$9,921,587) For The International Boulevard Pedestrian Lighting and Sidewalk Improvement Project;**
- 2. Waiving The Request For Proposal/Qualifications Requirements And The City's Local And Small Local Business Enterprise Participation Requirement (L/SLBE) to Award A Professional Service Agreement To Fehr and Peers In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000); And**
- 3. Adopt Appropriate California Environmental Quality Act (CEQA) Findings.**

EXECUTIVE SUMMARY

Approval of the proposed resolution will allow the City to accept and appropriate \$9,921,587 in Clean California funds for the International Boulevard Pedestrian Lighting and Sidewalk Improvement Project. The International Boulevard Pedestrian Lighting and Sidewalk Improvement Project addresses deficiencies in the existing pedestrian environment along the corridor and increases the utility of the newly launched East Bay Rapid Transit Project (BRT). The project will also install solar-powered waste containers and trash capture devices along the corridor.

Adoption of the resolution will waive the request for proposal/qualifications (RFP/Q) requirements and the City's Small-Very Small local business enterprise participation requirement to award a professional service agreement to Fehr and Peers to provide engineering services for the International Boulevard Pedestrian Lighting and Sidewalk Improvement Project during construction.

BACKGROUND / LEGISLATIVE HISTORY

Clean California is a \$1 billion initiative to significantly reduce litter and beautify the state's transportation network. Program goals include reducing the amount of waste and debris in public spaces, beautifying public spaces, mitigating the urban heat island effect, enhancing public health and community placemaking, and advancing equity for underserved communities. Funds are spread across five program areas: Litter Abatement; State Beautification Projects; Local Beautification Projects; Public Education; and Project Design, Construction, Local Support and Engagement.

In late 2021, Caltrans staff approached the City via the Caltrans Working Group, an interdepartmental team coordinated by the City Administrator's Office, regarding the opportunity to use Clean California State enhancement funds allocated to Caltrans District 4, which includes Oakland, on state routes. Working Group members from the Oakland Department of Transportation (OakDOT), Oakland Public Works (OPW), and the City Administrator's Office, in consultation with Caltrans Staff, were able to quickly consider multiple projects. The International Boulevard Pedestrian Lighting and Sidewalk Improvement Project was selected because it aligned with Clean California goals, scored highly in the City's Capital Improvement Program (CIP), and overlaps with state right-of-way (International Boulevard east of 42nd Avenue is considered a state route). In addition, the project travels through East Oakland's identified Neighborhood Enhanced Service Team (NEST) Neighborhoods and International Boulevard is the number 1 ranked High Injury Corridor, according to Oakland's Safe Oakland Streets Initiative.

ANALYSIS AND POLICY ALTERNATIVES

Adoption of the proposed resolution will allow the City to move forward with the International Boulevard Pedestrian Lighting and Sidewalk Improvement Project. This project is consistent with the Council-adopted CIP prioritization criteria (Resolution No. 87376 C.M.S., adopted September 20, 2018). Priority projects were identified for this grant based on CIP score, grant prioritization criteria, and funding needs.

International Boulevard Pedestrian Lighting and Sidewalk Improvements

Project Description: This project will install pedestrian-scale lighting and repair sidewalks and ADA-compliant curb ramps to provide safer pedestrian conditions for people along International Boulevard. These improvements will ensure the project meets complete streets and universal design standards, enhances pedestrian travel, encourages BRT ridership, and provides health and environmental benefits. Clean California funds are specified for International Boulevard between 45th Avenue and 107th Avenue. In addition, approximately 50 litter containers in 20 locations along the specified segment will be installed. These "smart" solar-powered waste containers have a higher waste capacity than traditional waste bins and prevent trash overflows. Finally, this project will also install trash capture devices into existing storm drain outlets at approximately 68 locations along the corridor to prevent trash from reaching, or removing trash from, the municipal separate storm sewer (storm drain) system.

Citywide priority advancement: By improving pedestrian infrastructure, lighting, access to high quality public transit, and improved waste management, this project will advance two Citywide priorities: (1) **holistic community safety**; and (2) **vibrant, sustainable infrastructure**.

The City will be delivering this project through a partnership with Caltrans and is in the process of developing a Cooperative Agreement to cover the terms of the financial transfer and further define roles and responsibilities. The International Pedestrian Lighting and Sidewalk Improvements Project is in Caltrans Right-of-Way, and therefore requires that the City obtain encroachment permits from Caltrans. Caltrans encroachment permits in turn, require that the City to execute a maintenance agreement to accept, operate and maintain responsibilities of these improvements. The maintenance agreement is an amendment to an existing freeway maintenance agreement executed in 1991.

Justification of Waiver

The design of International Boulevard Pedestrian Lighting and Sidewalk Improvement Project was completed in 2018, and Fehr & Peers was the Engineer-of-Record for the design of pedestrian lighting. The City is recommending that Fehr & Peers provide design support during construction in order to ensure the City can meet the extremely tight delivery timeline for Clean California funding. To receive Clean CA funds, the project must be completed by June 30, 2023, which leaves just over one year to deliver a \$9.8M project. Given that the formal solicitation of bids for the construction contract is expected to take four to six months and construction is estimated to take up to eight months, there is not enough time to conduct a Request For Proposal/Qualifications (RFP/Q) process to seek other alternatives for the project's design support. Furthermore, it is standard practice for engineering projects to retain the Engineer-of-Record through the construction of a project to ensure continuity of the design work, review any design changes proposed by the contractor, and adapt for field conditions such as those created by construction of the Bus Rapid Transit (BRT) on International Boulevard.

Oakland Municipal Code (OMC) section 2.04.051.A requires the City Administrator to conduct a RFP/Q process for professional services contracts. However, OMC section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest for the City to do so. Fehr and Peers does not meet either LBE or SLBE requirements, and a waiver of the City's LBE and SLBE requirements is requested in order to execute a professional service agreement with Fehr and Peers. The engineering service to be provided by Fehr and Peers is estimated to be \$400,000 which is approximately 4% of the construction cost of the project. Fehr and Peers has an office in Oakland.

FISCAL IMPACT

Funds from this project will be accepted and appropriated as follows: \$9,921,587 into California Department of Transportation (2140), Complete Streets Design Organization (35212), Project number to be determined. The \$9,921,587 includes \$275,000 to install solar-powered litter containers along the corridor. The City will also be installing trash capture devices along the corridor using Measure Q funding (not included in the total above). Local match is not required as part of this agreement with Caltrans. The \$9,921,587 in Clean California funds will also fund the proposed professional service agreement with Fehr and Peers. \$400,000 of the Clean California funds will be allocated in California Department of Transportation (2140), Complete Streets Design Organization (35212), Architectural and Engineering Services Account (54411); Project number to be determined.

PUBLIC OUTREACH / INTEREST

The goals of this project were prioritized by several community engagement efforts, including planning for the BRT on International, which documented the need to improve pedestrian safety and ensure people feel safe walking to and from stations; the International Boulevard Transit Oriented Development plan, which centered the voices of disadvantaged community residents and highlighted the need to improve lighting and safety; the Oakland Sustainable Neighborhood Initiative, where residents called for improved mobility and access along the corridor; the Alameda County Safe Routes to Schools program, which identified sidewalks and streetlights to be a key factor in attracting more students to walking and biking to school; and Oakland's 2017 Pedestrian Plan update, where residents highlighted safety as a key factor to choosing whether to walk. The International Boulevard Pedestrian Lighting and Sidewalk Improvements Project has also received letters of support from numerous stakeholders, including the City of Oakland Vice Mayor and District 7 Councilmember, District 6 Councilmember, AC Transit, Bike East Bay, Walk Oakland Bike Oakland, and California's 18th District Assemblymember.

COORDINATION

Caltrans staff approached the City via the Caltrans Working Group, which consists of several departments and allowed for a coordinated decision making process. The City's planning and design efforts for the proposed project include ongoing outreach and coordination with project stakeholders.

The International Boulevard Pedestrian Lighting and Sidewalk Improvements Project team will coordinate all construction activities through the International BRT Community Outreach Team. This team proactively provides information about the project to help minimize disruptions and impacts during construction. The project team will also coordinate with Caltrans on all work constructed in Caltrans right-of-way.

The Budget Bureau and City Attorney's Office were consulted in the preparation of this report and proposed resolution.

SUSTAINABLE OPPORTUNITIES

Economic: Improving key bicycle and pedestrian corridors in East Oakland ensures that more people, particularly high priority communities along International Boulevard, will be able to safely access jobs, services, schools, and entertainment in Oakland, therefore contributing to local economic activities.

Environmental: By providing safer and more comfortable routes for pedestrians, bicyclists, and transit access, the proposed projects will encourage an overall shift in mode of transportation away from single occupancy vehicles to more energy-efficient and cleaner forms of transportation – walking, biking, and transit.

Race & Equity: The International Boulevard Pedestrian Lighting and Sidewalk Improvements project is located in high and highest priority areas as identified in the Geographic Equity Tool and the Metropolitan Transportation Commission (MTC) Communities of Concern map. This project will contribute to local revitalization by advancing affordable, accessible, and equitable mobility in East Oakland, while also improving access to high-quality transit, green space, spaces for recreation, and essential services.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed International Boulevard Pedestrian Lighting and Sidewalk Improvements Project is exempt under CEQA (Section 15301, Class 1: Existing Facilities). A Notice of Determination/Notice of Exemption shall be filed for this Plan.

ACTION REQUESTED OF THE CITY COUNCIL

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3. Adopt Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Craig Raphael, Strategic Planning and Administration Division at 510-238-7229.

Respectfully submitted,



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