

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

OAKLAND CITY COUNCIL

Mark P. Wall
City Attorney

2017 JUN -1 PM 4:26

RESOLUTION NO. 86847 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH PGA DESIGN IN AN AMOUNT NOT-TO-EXCEED ONE MILLION THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$1,380,000) FOR DESIGN AND ENGINEERING SERVICES FOR THE WALK THIS WAY: BROADWAY / WEBSTER PROJECT, CONSISTING OF PHASE 1 IN AN AMOUNT NOT-TO-EXCEED FOUR HUNDRED THIRTY THOUSAND DOLLARS (\$430,000), AND PHASE 2 IN AN AMOUNT NOT-TO-EXCEED NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000), WITH PHASE 2 BEING CONTINGENT ON APPROPRIATION OF FUNDING, FOR A TERM OF SEVEN (7) YEARS, OR COMPLETION OF CONSTRUCTION, WHICHEVER OCCURS FIRST; AND
- 2) RETURN TO COUNCIL TO ACCEPT AND APPROPRIATE GRANT AND OTHER FUNDING FOR PHASE 2 OF THE WALK THIS WAY: BROADWAY / WEBSTER PROJECT; AND
- 3) APPROPRIATE GRANT FUNDS UP TO THREE HUNDRED FORTY-TWO THOUSAND AND ONE HUNDRED TEN DOLLARS (\$342,110) FROM THE METROPOLITAN TRANSPORTATION COMMISSION'S SAFE ROUTES TO TRANSIT PROGRAM FOR PHASE 1 OF THE WALK THIS WAY: BROADWAY / WEBSTER PROJECT; AND
- 4) AUTHORIZE A CONTRIBUTION FROM THE CENTRAL DISTRICT REDEVELOPMENT PROJECT - BROADWAY STREETSCAPE FUNDS IN AN AMOUNT UP TO FIFTY-SEVEN THOUSAND EIGHT HUNDRED NINETY DOLLARS (\$57,890) FOR PHASE 1 OF THE WALK THIS WAY: BROADWAY / WEBSTER PROJECT; AND
- 5) AUTHORIZE A CONTRIBUTION FROM THE PLANNING AND BUILDING DEPARTMENT FUNDS IN AN AMOUNT UP TO THIRTY THOUSAND DOLLARS (\$30,000) FOR PHASE 1 OF THE WALK THIS WAY: BROADWAY / WEBSTER PROJECT.

WHEREAS, currently, the elevated I-880 Freeway ("I-880") breaks the continuum of walkability and access between Downtown Oakland and the estuary waterfront, and cuts through and separates the Old Oakland, Chinatown and Jack London neighborhoods; and

WHEREAS, the Walk this Way: Broadway / Webster Project ("Project") is intended to create safer, more walkable, inviting, and iconic passageways near and under the I-880 in Downtown, which will strengthen the neighborhoods near I-880 and help reconnect all Oaklanders to the central waterfront; and

WHEREAS, the Project would include two phases: with Phase 1 including detailed design drawings for Broadway and Webster Street, conceptual approach for other I-880 underpasses in Downtown, community engagement, construction drawings (35%), initial analysis of environmental hazards, materials for fundraising and grant applications, and quick and low-cost safety improvements to the intersection near the Lake Merritt BART Station; and Phase 2, contingent upon appropriation of funding, including environmental analysis, construction documents for bidding (100%), and construction management and review; and

WHEREAS, numerous completed city planning documents, including the Estuary Policy Plan (1999) and the Lake Merritt Station Area Plan (2014), provide a supportive framework for the Project by identifying the need to improve the important Broadway and Webster Street connections under I-880; and

WHEREAS, on October 20, 2015, the City Council adopted Resolution No. 85839 C.M.S. authorizing the City of Oakland (herein referred to as “City”) to accept and appropriate \$342,110 in Metropolitan Transportation Commission (“MTC”) Regional Measure 2 (RM-2) funding under the Safe Routes to Transit (SR2T) grant program to address pedestrian and bicyclist access through the I-880 underpasses between Broadway and Oak Street, by creating 35% construction drawings for the highest priority intersections and creating a toolkit of improvements for the additional locations; and

WHEREAS, the City has identified sufficient funds to proceed with Phase 1 of the Project, by aggregating SR2T funds (\$342,110), Planning and Building Department Funds (\$30,000) and Central District Funds (\$57,890), for a total of \$430,000; and

WHEREAS, on October 27, 2016, the City issued and advertised a competitive Request for Proposals (RFP) for engineering and design services for the Project, including information on the Phase 1 and 2 approach and current funding availability, with a deadline for submission of December 14, 2016, and 18 consultant teams from all over the nation, Canada and Japan responded by the deadline; and

WHEREAS, the City formed a selection committee consisting of representatives from Chinatown, Jack London Business Improvement District, and the City’s Planning and Building Department, Department of Transportation, and Economic and Workforce Development Department’s Cultural Arts and Marketing Division and Project Implementation Division, who reviewed the RFP submissions, selected and then interviewed five of the responding consultant teams; and

WHEREAS, the selection committee identified the PGA Design as the firm best suited and qualified to serve as the prime contractor to prepare the design and engineering services for the Project; and

WHEREAS, Planning and feasibility studies are exempt from CEQA (CEQA Guidelines Section 15262 (feasibility and planning studies), Section 15306 (information collection), Section 15061(b)(3) (general rule) and Section 15183 (“Projects consistent with a General Plan or Zoning”)); and

WHEREAS, the City Council finds and determines that the performance of these contracts shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED, that the City Administrator, or designee, is hereby authorized to negotiate and execute a professional services agreement with the PGA Design team for design and engineering services for the Project in an amount not to exceed \$1,380,000 (including a contingency of \$120,000), consisting of Phase 1 in an amount not-to-exceed four hundred thirty thousand (\$430,000) and Phase 2 in an amount not-to-exceed nine hundred fifty thousand dollars (\$950,000), with Phase 2 being contingent upon appropriation of funding, for a term of seven (7) years, or completion of construction, whichever occurs first; and be it

FURTHER RESOLVED, that staff shall return to the City Council to accept and appropriate grant and other funding for Phase 2 of the Project and concurrently present the Phase 1 results; and be it

FURTHER RESOLVED, that a Notice to Proceed will only be issued for Phase 1 of the Walk this Way Project, for which funding is currently available (\$430,000); and any future Notices to Proceed are contingent on availability and appropriation of additional funding for Phase 2 by the City Council; and be it

FURTHER RESOLVED, that the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said Agreements, and such other documents as necessary or appropriate, in consultation with the City Attorney's Office, to facilitate implementation of the Project in accordance with and consistent with this Resolution, provided that such documents shall be approved for form and legality by the City Attorney and a copy shall be kept on file with the City Clerk; and be it

FURTHER RESOLVED, that Safe Routes to Grant funds totaling \$342,110 shall be appropriated to Development Services Fund (2415), Planning Organization (84211), Contract Contingencies Account (54011), in a project to be determined, General Plan, Zoning Update & Strategic Analysis Program (SC09); and be it

FURTHER RESOLVED, that Central District funds totaling \$57,890, which are available in the Central District Project Fund (2610), CIP Central District Organization (94889), Professional Services Account (54930), I-880 Broadway Streetscape Project (1000132), Downtown Redevelopment Program shall be transferred to Development Services Fund (2415), Planning Organization (84211), Contract Contingencies Account (54011), in a project to be determined, General Plan, Zoning Update & Strategic Analysis Program (SC09); and be it

FURTHER RESOLVED, that Planning and Building Department funds totaling \$30,000 are available in the Development Services Fund (2415), Administration Organization (84111), Contract Contingencies Account (54011), Contingency Reserve Project (1000904), Administration Program (IP49) and would be transferred to Development Services Fund (2415), Planning Organization (84211), Contract Contingencies Account (54011), in a project to be determined, General Plan, Zoning Update & Strategic Analysis Program (SC09); and be it

FURTHER RESOLVED, that the City Council has independently reviewed and considered the environmental determination, and the Council finds and determines that this action complies with

CEQA because this action on the part of the City is exempt from CEQA pursuant to the following CEQA Guidelines (each on a separate and independent basis): Section 15262 (feasibility and planning studies), Section 15306 (information collection), Section 15061(b)(3) (general rule) and Section 15183 (“Projects consistent with a General Plan or Zoning”).

JUL 18 2017

IN COUNCIL, OAKLAND, CALIFORNIA, _____

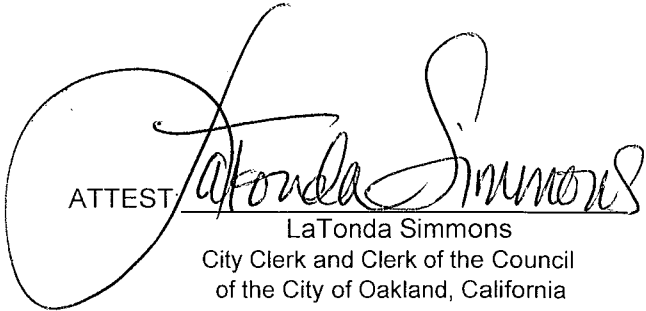
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN,
AND PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California