



CITY OF OAKLAND

AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: G. Harold Duffey
Director,
Oakland Public Works

SUBJECT: Garland/ DBS Inc Contract Extension
and Capacity Increase

DATE: February 20, 2024

City Administrator Approval


Jestin Johnson (Mar 1, 2024 12:15 PST)

Date: Mar 1, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Amending The Current Cooperative Purchase Order Number 2020010012 With Garland/ DBS Inc Through Omnia Contract Number PW1925 To: (1) Increase The Contract Capacity Spending Authority In A Not-To-Exceed Amount Of Three Million Dollars (\$3,000,000.00) For A Grand Total Contract Amount Of Six Million Dollars (\$6,000,000.00); And (2) Extend The Contract Term Through October 14, 2029 For The Replacement Of The Roof At The Main Library, Roof Repairs And Maintenance At Other City Facilities; And (3) Adopting Appropriate California Environmental Quality Act Findings.

EXECUTIVE SUMMARY

Oakland Public Library (OPL) received a grant award letter on December 15, 2023, in the amount of \$4,197,389 from the State of California Library Building Forward: Library and Infrastructure Grant Program Round Two (Library and Infrastructure Grant) for major improvements and upgrades to the Main Library (the Project). The Project includes critical maintenance elements, including new roof installation and skylight replacement, ceiling restoration, new paint, new and encapsulated flooring, and the replacement of a failing electrical system, and will also improve the facility's energy efficiency, renovate and modernize technological and building equipment and systems, and expand the current use of existing spaces. Oakland Public Works-Facilities Services Division (OPW-FSD) was tasked with this work in November 2023 with an estimated expedited completion of July 2024. The improvements from the Project will extend the life of the building, provide a more comfortable environment to library patrons, and protect historical library assets.

The new roof installation component of the Project has an estimated cost of \$2,000,000, which exceeds the remaining contract capacity value with Garland/ DBS Inc. To complete the Project and avoid jeopardizing the awarded grant funds from the State of California, staff recommends the City Council approve the proposed resolution to amend the current cooperative agreement with Garland/DBS Inc. through OMNIA Partners Group, to increase the spending authority in an

amount not-to-exceed \$3,000,000, for a grand total contract amount of \$6,000,000. After completion of the Main Library project, there will approximately be \$1.9 million remaining in contract capacity for roof maintenance and emergency work at other City Facilities through October 14, 2029.

BACKGROUND / LEGISLATIVE HISTORY

The Finance Department's Purchasing Unit is responsible for procuring commodity goods and services contracts that support the operations of City departments. These commodity goods and services are commonly procured through cooperative agreements, as provided for under Oakland Municipal Code (OMC) section 2.04.080, which authorizes the City Administrator to efficiently procure goods and services through cooperative agreement contracts. Also referred to as "piggyback contracts", cooperative agreements enable the City to take advantage of other government agencies' competitive procurements and secure volume discounts because the vendor offers its bid price to multiple public agencies. This contracting approach is designed to provide cost-effective pricing while reducing the City's procurement timelines and administrative requirements. OMC section 2.04.080 sets no limit on the size of cooperative agreements that may be entered into by the City Administrator, and section 2.04.020 authorizes the City Administrator to enter into contracts up to \$250,000. Changes to cooperative agreements and contracts in excess of this amount are presented to City Council for approval.

Since 2016, the Purchasing Unit and OPW jointly manage cooperative agreement Contract Purchase Order (CPO) #2020010012 with Garland/ DBS Inc to provide materials and perform repair and construction of roofs at City Facilities. The cooperative agreement is part of an OMNIA Partners Group cooperative purchasing agreement utilized by government agencies for the acquisition of uniform goods and services using a competitive advertisement and bid process to ensure quality goods and services at the best prices for government agencies. The City's current remaining contract capacity with Garland/ DBS Inc is less than \$800,000 and expires on October 14, 2024, Council approved an extension and increase of the cooperative agreement with Garland/ DBS Inc. through Resolution No. 89845 CMS on July 18, 2023 based on the terms of the OMNIA Partners Group cooperative agreement with Garland/ DBS Inc. However, in December 2023, the contract expiration deadline was amended as part of an additional one-time, 5-year contract term extension provided in the original contract with a newly established expiration date of October 14, 2029.

OPW-FSD is responsible for maintenance and emergency repairs, construction, and replacement of roofs at City facilities, and utilizes Garland/ DBS Inc. for materials and services to ensure that the buildings are maintained in compliance with health and safety standards. The City has contracted with Garland/ DBS Inc using the current CPO for roof repairs and replacements at the City Facilities shown in **Table 1** below.

Table 1

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| 1. City Hall | 18. Rainbow Recreation Center |
| 2. 150 Frank H. Ogawa Plaza | 19. Tassafaronga Recreation Center |
| 3. African American Museum & Library of Oakland | 20. Verdese Carter Recreation Center |
| 4. Dimond Library | 21. Oakland Asian Cultural Center |

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| 5. Elmhurst Library | 22. Police Administration Bldg. |
| 6. Rockridge Library | 23. 7101 Edgewater Drive – Bldg. 2 |
| 7. West Oakland Library | 24. Arroyo Viejo Head Start |
| 8. West Oakland Senior Center | 25. Brookfield Head Start |
| 9. Allendale Recreation Center | 26. Tassafaronga Head Start |
| 10. Bushrod Recreation Center | 27. Fire Station #1 |
| 11. Carmen Flores Recreation Center | 28. Fire Station #3 |
| 12. DeFremery Swimming Pool | 29. Fire Station #5 |
| 13. FM Smith Recreation Center | 30. Fire Station #13 |
| 14. Ira Jenkins Recreation Center | 31. Fire Station #15 |
| 15. Joaquin Miller Park Community Center | 32. Fire Station #19 |
| 16. Lakeside Garden Center | 33. Fire Station #20 |
| 17. Lincoln Recreation Center | 34. Fire Station #26 |

OPW-FSD is responsible for maintaining the Main Library facility and has responded to numerous calls related to its leaking roof over the past few years. OPW acknowledges that the roof needs replacement but has been unable to replace the roof due to a lack of available funding. Annual budget appropriation provided to OPW-FSD for all City facilities (approximately 200 facilities) is only \$1,200,000 per fiscal year for deferred maintenance and minor Capital Improvement Program (CIP) projects including roof and equipment repair / replacement and other minor CIP projects.

Due to the required Project completion deadlines set forth in the State of California Library and Infrastructure Grant, there is a short timeline between the grant application submittal, grant funding award, construction, and completion of the Project. As a result, staff must expedite the design and construction of the Project. To assist in expediting the project, OPW-FSD was tasked with completing the roof replacement before construction of the majority of the Project.

ANALYSIS AND POLICY ALTERNATIVES

Approval of the proposed resolution is urgent and essential to completing the Main Library Project and to enable staff to conduct urgently required and emergency repair and/or replacement of roofs at other City facilities in an expedited manner. Without approval of the proposed resolution, the City will be unable to complete the Main Library Project on the required timeline, thereby jeopardizing the awarded grant funding from the State of California and potentially resulting in the loss, return, or forfeiture of awarded grant funds.

The estimated cost of the Main Library roof replacement exceeds the remaining available CPO contract capacity amount by more than \$1,200,000. To complete the Project, staff have identified the following two options for City Council consideration:

- **Option A** – Accept the recommendation from staff to increase the contract capacity amount of the current contract with Garland/ DBS Inc to allow for the replacement of the roof at the Main Library and to ensure capacity for maintenance and emergency repairs at other City facilities.

- **Option B** – Direct staff to issue a separate Request for Proposals (RFP) process to identify a roofing firm to perform the roof replacement. This process could take 4-6 months to complete and would interfere with other scheduled grant funded work at the Main Library. This could also impact the timing to expend the awarded grant funding and jeopardize the funding.

Failure to increase the contract capacity amount will impact the completion of the roof replacement and related maintenance at the Main Library and require additional time and resources to initiate a separate project with a new process, to secure a roofing vendor to complete the work. This would negatively impact the City's ability to expend the grant funding in the required time frame and impact the start and anticipated completion of other grant-funded activities. Therefore, staff recommends the City Council approve Option A, to increase the contract capacity of Garland/DBS Inc.'s current contract.

Waiver of Request For Proposal / Qualifications Requirement

OMC section 2.04.045.C requires the City Administrator to award a contract through a prequalification process to the lowest responsible, responsive bidder, and OMC section 2.04.050.1.5 allows the City Council to waive advertising and competitive bidding requirements for construction contracts upon a finding that it is in the City's best interests to do so.

City staff believes it is in the best interests of the City for the Council to waive the RFP/Q requirement for this contract and recommends that the City Council waive this requirement and amend the current CPO contract (#2020010012) with Garland/ DBS Inc to increase the capacity to complete the Project and prevent any delay or potential forfeit of funds to complete the Main Library roofing repair Project. There is no other City funding identified for the replacement of this aged roof that experiences ongoing leaks and requires frequent repair.

Citywide Priority

Approval of the proposed resolution will advance the Citywide Priority of **vibrant, sustainable infrastructure** by enabling OPL and OPW to utilize grant funding to improve and enhance the main Library by increasing Garland/DBS Inc.'s contract capacity to complete roof repairs at the Main Library and avoid costly damages that interrupt Library services to the public.

FISCAL IMPACT

The Project is funded through the State of California Library and Infrastructure grant in the amount of \$4,197,389, and \$3,148,049 in matching funds are to be provided by OPL from Main Library Projects (1003451,1004859) in state grant fund 2148, including Measure KK (5330, 5332, 5335). Other projects utilizing this contract will come from funding identified as part of project approvals.

PUBLIC OUTREACH / INTEREST

This item did not require any additional public outreach as the City has a current CPO with Garland/ DBS Inc.

COORDINATION

Oakland Public Works, Bureau of Maintenance and Internal Services, Facilities Services Division staff coordinated with the City Administrator's Office, the Budget Office, and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: There are no significant economic impacts associated with approving this resolution, but the recommended action is the most efficient way to complete the Main Library Project and needed urgent/emergency repairs to other City facilities.

Garland/ DBS Inc is part of the nationally recognized OMNIA Partners Group that specializes in purchasing and contract procurement. Consistent with the initial contract, Garland DBS Inc. will continue to meet the City's Local/Small Local Business Enterprise (L/SLBE) program requirements and partner with local contractors and vendors. The local economy will benefit from the services provided through job opportunities and generating business tax revenue.

Environmental: No environmental opportunities are identified through this resolution directly, but this contract will assist in advancing the Citywide priority of vibrant, sustainable infrastructure through the Main Library Project and future facility projects.

Race and Equity: Resources gained from cooperative agreements support citywide operations. As the City's budgeted activities increasingly prioritize equity, these agreements for goods and services support that mission.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Main Library and other City facilities are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction), which exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose or capacity as the structure replaced.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Amend The Current Cooperative Purchase Order Number 2020010012 With Garland/ DBS Inc Through Omnia Contract Number PW1925 To (1) Increase The Contract Capacity Spending Authority In An Amount Of Three Million Dollars (\$3,000,000.00) Not To Exceed A Total Contract Amount Of Six Million Dollars (\$6,000,000.00); And (2) Extend the Contract Through October 14, 2029 For The Replacement Of The Roof At The Main Library, Roof Repairs And Maintenance At Other City Facilities.

For questions regarding this report, please contact Derin Minor, Building Services Manager, at (510) 238-3998.

Respectfully submitted,


G. Harold Duffey (Mar 1, 2024 12:13 PST)

G. HAROLD DUFFEY
Director, Oakland Public Works

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