



CITY OF OAKLAND

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OAKLAND

2016 MAY 20 AM 10:08

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**SUBJECT:** Creation of New Department of  
Transportation

**FROM:** Christine Daniel  
Assistant City Administrator

**DATE:** May 20, 2016

City Administrator Approval

Date:

5/20/16

## RECOMMENDATION

### Staff Recommends The City Council:

1. Accept An Information Report Providing An Update On The Status Of Creating A New Department Of Transportation (DOT) And Recruitment Of A Director Of DOT
2. Adopt A Resolution (A) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Nelson\Nygaard Consulting Associates In An Amount Not To Exceed \$300,000, For The Purpose Of Assisting The City In Establishing The Department Of Transportation; And (B) Waiving The Competitive Bidding And Request For Proposals/Qualifications Process.

## REASON FOR SUPPLEMENTAL REPORT

Recruitment for a new Director of Transportation was put on pause while the Department restructuring discussions were proceeding. However, staff determined that retaining the services of an Interim Director to assist with setting up the new department as soon as possible would be in the best interests of the City. The initial report indicated a contract was under negotiation and that a supplemental report with the details of that agreement would be forthcoming.

## EXECUTIVE SUMMARY

Staff has negotiated a contract with Nelson\Nygaard Consulting Associates to provide the services of its principal Jeffrey Tumlin to assist the City of Oakland in establishing its new Department of Transportation (DOT). Other employees of Nelson\Nygaard may assist Mr. Tumlin with various aspects of the work as well.

Nelson\Nygaard Consulting Associates was founded by two women in 1987 in the Bay Area and has grown to an internationally recognized firm committed to developing transportation systems that promote vibrant, sustainable, and accessible communities. The firm provides consulting services in the areas of multi modal networks, paratransit and mobility management, walking and bicycling facilities and network design and parking management, among other areas.

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As noted above, Mr. Tumlin is a principal in the firm and has committed to providing approximately 75 percent of his time for a period of eight (8) months assisting the City to establish the DOT.

Mr. Tumlin is uniquely suited to assist Oakland in the creation of its DOT; he has worked in the Transportation field for more than 20 years and led award-winning transportation planning processes in cities from Seattle and Vancouver to Moscow and Abu Dhabi. He is committed to providing residents and other stakeholders with the tools needed to evaluate their transportation investments in the context of achieving their long-term goals. He understands that managing parking and transportation demand is a critical tool for revitalizing city centers and creating sustainable places. Mr. Tumlin is also the author of Sustainable Transportation Planning: Tools for Creating Healthy, Vibrant and Resilient Communities (Wiley, 2012). These qualifications support the request to waive the competitive selection process for this limited term agreement.

The not to exceed amount of this contract would be \$300,000 which will allow the City to access the services of both Mr. Tumlin and other staff at the firm who can assist with the work. The DOT will operate under the direction of the City Administrator and the Assistant City Administrator and Mr. Tumlin will work closely with the Assistant City Administrator in this role.

Mr. Tumlin will work directly with City staff who will be assigned to the DOT to create a robust and efficient organizational structure. His work will include the following:

- Determine an organizational structure and hierarchy that is best suited for efficient delivery of Transportation projects,
- Finalize a Strategic Plan for the DOT,
- Develop a DOT budget, including an assessment of necessary overhead charges,
- Identify gaps in Transportation services and resources and funding sources to address those gaps,
- Develop a public engagement strategy that facilitates meaningful participation by the City's diverse communities in the development of transportation projects,
- Work with directors of other City departments to align transportation projects with other ongoing and anticipated projects and services, and
- Advise the City Administrator on the recruitment and selection of a permanent DOT Director.

### **FISCAL IMPACT**

The Adopted Policy Budget includes the following funding to support the DOT: FY 2015-16, \$500,000; FY 2016-2017, \$1,000,000. None of the budgeted amount for FY 2015-16 has been spent and is thus available to support the proposed contract with Nelson\Nygaard Consulting Associates.

The funding would come from the following Fund: Fund 2216-Measure BB; Org. 30261-Transportation Services; Account-54011; Project C491110.

## COORDINATION

Staff from the City Administrator's Office, including Budget, as well as the Mayor's Office, OPW and the Controller's Bureau were involved in reviewing the initial report for this matter. Additionally, the Mayor's Office engaged with Janette Sadik-Khan, former Transportation Commissioner for New York City, through Bloomberg Associates. Ms. Sadik-Khan and other staff from Bloomberg Associates will be involved in recruiting a director for the new Department of Transportation, advising on the structure of the new Department and are assisting with the development of a strategic plan for Transportation.

## SUSTAINABLE OPPORTUNITIES

**Economic:** One purpose of creating a new DOT is to increase the capacity of the City to attract funds, carry out capital projects and accelerate street and infrastructure maintenance, resulting in numerous benefits to residents and business owners.

**Environmental:** A department that prioritizes multi modal approaches to transportation and approaches all projects with a complete streets perspective offers the opportunity for Oakland to enhance safety, connectivity and efficiency for residents, businesses and visitors to the City.

**Social Equity:** Oakland is building a greater capacity to work more closely with the community's transit agencies to ensure that equity considerations are included within forms of mobility such as bikesharing and carsharing, and as the new DOT makes greater use of data in decision-making, including socioeconomic information alongside more conventional safety and traffic data, the City can improve outcomes for all community members.

## ACTION REQUESTED OF THE CITY COUNCIL

### Staff Recommends The City Council:

1. **Accept An Information Report Providing An Update On The Status Of Creating A New Department Of Transportation (DOT) And Recruitment Of A Director Of DOT**
2. **Adopt A Resolution (A) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Nelson\Nygaard Consulting Associates In An Amount Not To Exceed \$300,000, For The Purpose Of Assisting The City In Establishing The Department Of Transportation; And (B) Waiving The Competitive Bidding And Request For Proposals/Qualifications Process.**

For questions regarding this report, please contact Christine Daniel, Assistant City Administrator, at 238-6906.

Respectfully submitted,



CHRISTINE DANIEL  
ASSISTANT CITY ADMINISTRATOR

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Public Works Committee  
May 24, 2016



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

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Approved as to Form and Legality

Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

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**A RESOLUTION (A) AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NELSON\NYGAARD CONSULTING ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$300,000, FOR THE PURPOSE OF ASSISTING THE CITY IN ESTABLISHING THE DEPARTMENT OF TRANSPORTATION; AND (B) WAIVING THE ADVERTISING, COMPETITIVE BIDDING AND REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS.**

**WHEREAS**, the Fiscal Year (FY) 2015-2017 City of Oakland Adopted Policy Budget included a directive to: "...create a new full-service, vertically integrated Department of Transportation (DOT), which will bring projects to completion, and work with the community to improve pedestrian safety, conditions for transit riders, access for disabled people and safety for bicyclists and drivers;" and

**WHEREAS**, the mission statement of the new department, as set forth in the Adopted Policy Budget is: "To envision, plan, build, operate and maintain a transportation system for the City of Oakland - in partnership with local transit providers and other agencies - which provides safe, equitable, and sustainable access and mobility for residents, businesses and visitors;" and

**WHEREAS**, the new DOT will be focused on providing services related primarily to the streets and sidewalks and above ground structures within those rights of way (street paving, bicycle lanes, pedestrian safety, traffic signals, lighting, signage, pavement markings, etc.); and

**WHEREAS**, the City desires assistance in establishing the DOT while it is preparing for and conducting the recruitment process for a department director; and

**WHEREAS**, Nelson\Nygaard Consulting Associates was founded by two (2) women in 1987 and has grown to an internationally recognized firm committed to developing transportation systems that promote vibrant, sustainable, and accessible communities; and

**WHEREAS**, Nelson\Nygaard Consulting Associates has agreed to provide the services of its principal Jeffrey Tumlin and other of its employees to assist the City of Oakland in establishing its new DOT; Mr. Tumlin will provide approximately 75 percent of his time for a period of eight (8) months assisting the City in this work; and

**WHEREAS**, Mr. Tumlin is uniquely suited to assist Oakland in the creation of its DOT; he has worked in the Transportation field for more than 20 years; he has led award-winning transportation planning processes in cities from Seattle and Vancouver to Moscow and Abu Dhabi; he is committed to providing

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residents and other stakeholders with the tools needed to evaluate their transportation investments in the context of achieving their long-term goals; he understands that managing parking and transportation demand is a critical tool for revitalizing city centers and creating sustainable places; and Mr. Tumlin is also the author of Sustainable Transportation Planning: Tools for Creating Healthy, Vibrant and Resilient Communities (Wiley, 2012); and

**WHEREAS**, Oakland Municipal Code (“OMC”) section 2.04.051 requires a competitive Request For Proposals/Qualifications (“RFP/Q”) competitive selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1; and

**WHEREAS**, OMC section 2.04.051.B permits the City Council to waive advertising and the RFP/Q competitive selection requirements upon finding that it is in the City’s best interest to do so; and

**WHEREAS**, City staff recommends waiving the RFP/Q requirements for this contract because of the specialized expertise needed to assist in the creation of a multi-million dollar department devoted to planning, designing, developing and maintaining a multimodal transportation system, pending the recruitment of the permanent department director; and

**WHEREAS**, the City Administrator has determined that this contract is of a professional and temporary nature and will not result in the loss of employment or salary by any person having permanent status in the competitive civil service; now, therefore, be it

**RESOLVED**, that the City Administrator is authorized to execute a Professional Services Agreement with Nelson\Nygaard Consulting Associates in the amount of \$300,000 from funds budgeted in Fiscal Year 2015-2016 for the new DOT (Fund 2216-Measure BB; Org. 30261-Transportation Services; Account-54011; Project C491110); and be it

**FURTHER RESOLVED**, that the City Council finds and determines, under Oakland Municipal Code Section 2.04.051. B, that it is in the best interests of the City of Oakland to waive the competitive bidding, advertising and the RFP/Q requirements for the reasons set forth above and in the staff report accompanying this item; and be it

**FURTHER RESOLVED**, that the City Administrator, or designee, is authorized to conduct all required negotiations, applications, agreements, and related actions which may be necessary to accept, modify, extend and/or amend the aforementioned agreement with Nelson\Nygaard Consulting Associates, except for any increase of the contract amount; and be it

**FURTHER RESOLVED**, that the City Administrator or her designee shall place a copy of the fully executed agreement on file with the Offices of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and  
PRESIDENT GIBSON MCELHANEY

NOES –

ABSENT –

ABSTENTION –

ATTEST:

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LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California

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