

CITY OF OAKLAND

# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

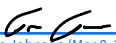
**FROM:** G. Harold Duffey  
Director, Oakland Public  
Works

**SUBJECT:** Brookdale Recreation Center  
Architectural and Engineering  
Services Agreement Award

**DATE:** March 11, 2024

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City Administrator Approval

  
Jestin Johnson (Mar 8, 2024 11:30 PST)

Date: Mar 8, 2024

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## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator To 1) Award And Execute A Professional Services Agreement For Architectural And Engineering Design Services With DIALOG Design, LP, For An Amount Not-To-Exceed Three Million One Hundred Thousand Dollars (\$3,100,000.00) For Programming, Master Planning, Design, Procurement, And Construction Support Services For The Brookdale Recreation Center Expansion And Park Improvements Project (No. 1004849); And 2) Adopt Appropriate California Environmental Quality Act (CEQA) Findings.**

## **EXECUTIVE SUMMARY**

Approval of this resolution will authorize the City Administrator to enter into a professional services agreement on behalf of the City of Oakland (City) with DIALOG Design, LP, for architectural and engineering services for the Brookdale Recreation Center Expansion and Park Improvements Project (the Project), which will include programming, master planning, full design from schematic design through construction documents phase, procurement, and construction support services for a single procurement that is not-to-exceed \$3,100,000.

The Project's primary objective is to develop a new 7,000 square foot science and recreation center by combining two City parcels located at 2535 High Street and 2521 High Street. Brookdale Park occupies 2535 High Street and features an existing 2,800 square foot recreation center. The Discovery Science Center occupies 2521 High Street and features an 804 square foot STEM (Science, Technology, Engineering and Mathematics) facility. While combining the two parcels will not increase total square footage of existing open space, the project will provide new opportunities to improve park accessibility, expand utility of the combined open space, and increase recreational opportunities for the surrounding community.

City Council  
March 19, 2024

## **BACKGROUND / LEGISLATIVE HISTORY**

Established in 1922, Brookdale Park is a 3.2-acre public park in Council District 5 managed by the Oakland Parks, Recreation and Youth Development Department (OPYRD). Current park amenities include a tot lot, baseball field, basketball court, tennis courts, a small garden, and a dilapidated picnic area. The park has many paved pathways and large-canopy mature trees that shade the area (see **Attachment A – Project Location Map**). The Brookdale recreation center was constructed in the 1960s as a bus shelter and lodge and eventually converted for use as a community recreation center in the 1970s. The Discovery Science Center was established in the 1970s following the conversion of a former residence built in the 1920s on a 4,800 square foot parcel.

Over the years, the park has received several minor capital improvements to the recreation center building and ball fields, but the recreation center and the science center have suffered from disrepair and both have remained closed to the public since the beginning of the COVID-19 pandemic. Prior to the pandemic, the recreation center hosted programs and classes year-round serving patrons from preschoolers to high school seniors which included a summer camp program. The science center has fallen into disrepair and is not suitable for use by the community. As a result, services were transferred to Arroyo Viejo Recreation Center in March 2022.

In previous efforts to improve the park and increase recreational opportunities, Oakland Public Works (OPW) led a community engagement process in partnership with OPRYD and the District 5 Council Office between 2008 and 2012 to apply for a \$5,000,000 grant from the Statewide Park Development and Community Revitalization Program Grant funds (Proposition 84). Unfortunately, the grant application was unsuccessful.

In 2018, the Oakland City Council adopted a new, inclusive forum for Oakland community members to submit capital improvement project ideas to be considered for inclusion in the Capital Improvement Program, which uses a [Prioritization Model](#) centered on equity. The Brookdale Recreation Center project was included in the FY 2019-2021 CIP prioritization list and received an allocation of \$2,000,000 to initiate the design.

## **ANALYSIS / POLICY ALTERNATIVES**

In accordance with Oakland Municipal Code (OMC) 2.04.051 and the provisions of Administrative Instruction 150 for Professional Services Contracts, a Request For Proposals (RFP) for architectural and engineering services for Master Planning through Construction Administration was issued on April 4, 2023, seeking the most qualified consultant team for the proposed project. The City utilized a two-step review process:

- 1) Review of all proposals evaluated per the scoring rubric as outlined in the RFP (see **Attachment B – Proposal Evaluation**), with added preference points (12.5 points maximum) from the Compliance Analysis (see **Attachment C - Compliance Analysis Memo**) per the City's Local and Small Local Business Enterprise Program (L/SLBE) requirements.

- 2) 90-minute interviews with short-listed firms were conducted for each design team to introduce themselves, explain their approach for the project along with their implementation strategy followed by a “Question and Answer” session.

On June 14, 2023, the OPW Capital Contracts Division (CCD) received five (5) proposals. The Department of Workplace and Employment Standards (DWES) reviewed all proposals on July 17, 2023, for compliance with the L/SLBE program and Equal Benefits Ordinance. As a result of their analysis, three firms met the minimum 50% L/SLBE participation requirements.

A three-member panel comprised of two California licensed architects from the OPW Project and Grant Management Division (PGM) and one California licensed civil engineer from the OPW Watershed and Stormwater Management Division evaluated and ranked the three proposals from HY Architects, DIALOG Design, and Shah Kawasaki Architects based on how well the design teams demonstrated experience in planning, programming, and design of recreation centers in response to criteria set forth in the RFP.

Interviews were scheduled on September 15, 2023 with the remaining three firms, however, HY Architects declined the interview due to unspecified internal issues. Interviews proceeded with DIALOG Design and Shah Kawasaki Architects. The interview evaluation criteria for the selection included the following:

- Relevant experience and quality of full design services on similar projects, including delivery of LEED (Leadership in Energy and Environmental Design)-certified buildings;
- Experience with community engagement for similar projects and approach to engaging and developing consensus among diverse stakeholders;
- Project understanding & approach;
- Project management understanding and demonstrated ability;
- Communication and coordination ability;
- Quality and completeness of responses to interview questions;
- Unique resources/expertise relevant to the project; and
- Demonstrated capacity to respond to all project requirements in a timely manner.

Based on the proposal review process and interviews, the panel recommended DIALOG Design and their consultant team to be the most qualified and responsive to the RFP to provide design services for the Project. DIALOG Design has over 40 years of successfully delivering municipal and public projects throughout the Bay Area and beyond. DIALOG Design has provided their design services for numerous City projects over the past 10 years and was the lead architectural firm of record who oversaw the design and provided construction support services for the Rainbow Recreation Center Renovation and Expansion project completed in 2019, receiving several awards from the American Society of Engineers, Architecture Masterprize, MUSE Design Awards and was featured on *CBS This Morning*. Staff completed negotiations on the specific planning, design, and engineering scope of work for the Brookdale Recreation Center Expansion and Park Improvement project with DIALOG Design on October 26, 2023. The final costs are as follows in **Table 1** below.

**Table 1: Final Contract Amounts**

Description	Amount
Negotiated Base Scope of Work	\$2,637,490.00
Design Contingency	\$462,510.00
Total Not-To-Exceed Contract Amount	\$3,100,000.00

Based on negotiations, DIALOG Design will exceed the City’s L/SLBE program, with 50.15 percent for Small Local Business Enterprises. DIALOG Design’s team includes six local, small local businesses. DIALOG Design has completed the City’s Equal Benefits Ordinance requirements as well as other programs as required prior to executing the agreement (see **Attachment D – Updated DWES Compliance Analysis, December 18, 2023** for details).

The proposed resolution supports Citywide priorities of **holistic community safety and building vibrant, sustainable infrastructure** by authorizing DIALOG Design to develop a new code compliant, LEED certified science and recreation center while also improving park features by adding in new accessible pathways, park lighting, improved ball field surfacing, parking lot, tot lot and sustainable features such as a new outdoor garden.

**PUBLIC OUTREACH / INTEREST**

In 2006, the Brookdale Park Advisory Council (BPAC) was formed in response to the community’s needs to discuss strategies on how to expand Brookdale Recreation Center for the area’s underserved population and how to intervene on behalf of the community’s youth before they are “pulled into gangs and a life of crime,” according to the goals of the 2012 Prop 84 grant application. A series of meetings were held in conjunction with staff from PGM from December 14, 2006, through May 1, 2011, to solicit neighborhood input on potential improvements to Brookdale Park, Recreation and Discovery Science Centers. The meetings relied on the collaborative effort of broad representation of residents including BPAC, the Allendale, Maxwell Park, and Laurel Park neighbors; the Neighborhood Crime Prevention Council; the Fremont High School Students and Architecture School; the Council Member’s Office; and OPRYD staff and its users to conduct outreach to the community to inform the community of surveys, focus groups and design workshop meetings which were conducted in English and Spanish. Although the City was unsuccessful in obtaining grant funding in 2012 to fully fund the improvements to the park, science and recreation centers, goals and recommendations from the previous community engagement effort will be considered in the current project.

Public Outreach is part of the Capital Contract Equity Initiative for OPW. For this professional services RFP solicitation, PGM worked with CCD and DWES on performing public outreach through legal ads, enhanced notifications, and pre-proposal meetings. Notifications of solicitation were distributed by several means. The first was the City’s iSupplier system, which was utilized to notify Oakland-certificated local and non-local professional service providers (e.g., landscape architects, architects, engineers, contractors, and planning firms); regional trade and business groups, the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction Bidboard. Companies that newly register in iSupplier are granted access within a few days of registration to review proposal requests in this system. If a company enters a North American Industry Classification System, or NAICS code, they are notified about associated opportunities. In

addition to iSupplier and the established disparity outreach list, CCD also utilizes CIPList.com, a free, web-enabled site to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders' exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPList.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the RFP was advertised on April 4, 2023. CCD included printed legal notices in the East Bay Times and Oakland Post. In addition, information about the project was published in El Mundo, World Journal, and the Korea Times publications to supplement and ensure the information reaches Local Business Enterprises and Small Local Business Enterprises in Black, Indigenous, People of Color communities with potential contractors/consultant.

CCD held a pre-proposal meeting in partnership with DWES and PGM on April 11, 2023, with 21 people in attendance virtually. The meeting provided a venue to discuss the scope of work described in the RFP, project history, anticipated RFP evaluation and project schedule, L/SLBE requirements, proposal evaluations, and interview process for shortlisted firms.

### **COORDINATION**

The work to be performed under this contract has been coordinated with OPRYD, CCD, DWES and appropriate bureaus within OPW.

This report and the resolution have been reviewed for form and legality by the Office of the City Attorney, the Budget Bureau, and DWES.

### **FISCAL IMPACT**

The proposed professional services agreement with DIALOG will be funded by \$200,000 in Measure KK, Series 2 funds, \$1,500,000 in Measure KK, Series 3 funds as indicated in the table below. The remaining \$1,400,000 will be funded by a \$4,500,000 allocation from Measure U – 2022 Affordable Housing and Infrastructure Bond (Fund Number To Be Determined) at the start of FY 2024-2025 (see **Table 2** below). While it is anticipated that only the Measure KK, Series 2 funds will be spent prior to the appropriation of Measure U funds, [Council Resolution No. 89840 C.M.S.](#) provides the City with flexibility to incur expenditures against Measure U on a temporary basis prior to the issuance of general obligation bonds.

**Table 2: Contract Funding Sources**

<b>Description</b>	<b>Amount</b>
Measure KK, Series 2 (5332); Capital Projects Organization (#92270); Project (1004849); Program (IN06)	\$200,000.00

Measure KK, Series 3 (5335); Capital Projects Organization (#92270); Project (1004849); Program (IN06)	\$1,500,000.00
Measure U; FY 24-25	\$1,400,000.00
<b>Negotiated Not-To-Exceed Contract</b>	<b>\$3,100,000.00</b>

The anticipated total project cost including design services, management services, construction costs and additional contingencies is approximately \$38,000,000.00. Additional funding for construction is being sought from potential federal, state and local sources including the federally funded 2024 Outdoor Recreation Legacy Program and the Oakland Measure U - Affordable Housing and Infrastructure Bond.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** This project replaces damaged and aged City infrastructure. The consultant is verified for L/SLBE participation by DWES. The project will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. Local businesses will be utilized on the projects and will benefit directly. The proposed expansion of the Brookdale Recreation Center will strategically incorporate opportunities for revenue generation for the City utilizing the new facilities.

**Environmental:** The consultant will be required to incorporate the City’s environmental and sustainability design requirements and guidelines into the project, which will continue to support the City’s objective for a sustainable Oakland. The new building targets (LEED) Silver as a minimum and LEED Gold as the target sustainability certification level.

**Race & Equity:** The City’s Open Space, Conservation and Recreation ([OSCAR](#)) element of the General Plan recommends four acres of open space per 1,000 people. The area surrounding Brookdale Park is critically underserved with only 0.51 acres per 1,000 people, which is one of the very lowest in the City. The proposed architecture design services contract will enhance Brookdale Park and provide new state of the art facility that will support the underserved community members near the park by increasing recreational and educational opportunities citywide. The resulting project will comply with the Americans with Disabilities Act and enhance the enjoyment of Brookdale Park for all ages and abilities.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15301 (existing facilities), 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15302 (Replacement or Reconstruction), 15303 (Small Structures), and/or 15061(b)(3) (No Significant Effect on the Environment). Each of the above exemptions provides a separate and independent basis for CEQA compliance. If applicable, the City Administrator shall file a Notice of Determination/Notice of Exemption with the Clerk of the County of Alameda.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to award and execute a professional services agreement for architectural and engineering design services with DIALOG Design, LP, for an amount not-to-exceed three million one hundred thousand dollars (\$3,100,000.00) for programming, master planning, design, procurement, and construction support services for the Brookdale Recreation Center Expansion And Park Improvements Project (No. 1004849)

For questions regarding this report, please contact Alan Chan, P.E., Capital Improvement Project (CIP) Coordinator, at (510) 238-6604.

Respectfully submitted,

  
Harold Duffey (Mar 7, 2024 10:50 PST)

G. HAROLD DUFFEY  
Director, Oakland Public Works

Reviewed by:  
Siew-Chin Yeong, P.E., Assistant Director  
Bureau of Design & Construction

Reviewed by:  
Calvin Hao, Architect, Acting Division Manager  
Project & Grant Management Division

Prepared by:  
Alan Chan, P.E., CIP Coordinator  
Project & Grant Management Division

Attachments (4):

A: Attachment A - Project Location Map

B. Attachment B – Proposal Evaluation

C. Attachment C – Compliance Analysis Memo

D. Attachment D – Updated Compliance Analysis Memo Dated December 18, 2023