

CITY OF OAKLAND

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

SUBJECT: Professional Services Contract
Amendment for Rainbow Recreation
Center Expansion & Renovation
Project

FROM: Brooke A. Levin
Director, Public Works

DATE: June 20, 2016

City Administrator Approval

Date:

[Handwritten Signature]
6/29/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution (1) Waiving The Competitive Request For Proposal/Qualification Process And (2) Authorizing The City Administrator, Or Designee, To Amend The Professional Services Agreement With Byrens Kim Design Works For The Rainbow Recreation Center Expansion And Renovation Project (No. C470910) In The Amount Not To Exceed An Additional Two Hundred Fifty Thousand Dollars (\$250,000.00) For A Total Contract Not-To-Exceed Seven Hundred Seventy Five Thousand Dollars (\$775,000.00).

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator or Designee to increase the professional service agreement with Byrens Kim Design Works for architectural services by an amount not-to-exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) to provide additional design and construction support services for the Rainbow Recreation Center Expansion & Renovation Project (Project) and to allow for increased project scope, contingencies and any unforeseen conditions that may occur during the construction phase.

Rainbow Recreation Center is located in Council District 6 as shown in **Attachment A**.

BACKGROUND / LEGISLATIVE HISTORY

Dedicated in 1980, the Rainbow Recreation Center is located at 5800 International Boulevard in the Seminary Neighborhood. It is an over-crowded, aging 9,900 square-foot facility which sits on a 1.85 acre site. The needed programs have outgrown the building and staff currently cannot implement multiple programs at the facility. The Rainbow Recreation Center was identified as a priority project for District 6 and is listed in the Park Prioritization list for Fiscal Year (FY) 2011-2013, approved by Council under Resolution No. 83725 C.M.S. in February 2012.

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City Council authorized the City Administrator to enter into a professional services agreement with Byrens Kim Design Works in Resolution No. 85726 C.M.S. approved on July 21, 2015. Byrens Kim Design Works was selected through a competitive, qualification-based process to provide consulting and engineering services for the Project. The City's project manager and consultant conducted additional community and internal staff meetings to refine the grant scope between September 2015 and February 2016 in accordance with grant requirements.

ANALYSIS AND POLICY ALTERNATIVES

Per Oakland Municipal Code Section 2.04.051 B, the Request for Proposal/Request for Qualification ("RFP/RFQ") process can be waived if it is in the best interest of the City. Approval of competitive selection waiver will enable staff to maintain design and construction support of the Rainbow Recreation Center Expansion and Renovation project with continuity of design and engineering support services from the selected design consultant team without any disruption.

During initial design, it was determined that the City could meet the grant requirements with the available project funds; however, the resulting project would neither meet minimal needs of the community, Oakland Parks & Recreation programs nor maximize recreational benefits for the Public. Through meetings with Council representative, City Administrator and Oakland Parks and Recreation, it was determined that providing a fully functional facility is in the best interest of the City.

In addition, scope elements not originally anticipated as part of the project are triggered by the scope expansion, such as renovating the parking lot to create/increase ADA compliant parking spaces; treatment of stormwater into bioswales; increasing trash enclosure size to accommodate additional recycling and food waste programs in addition to the standard trash bin; and adding a new fire service connection and fire sprinklers distribution system to the existing building. An artist will also be included with the design consultant team to assist with specific building art elements and potential youth engagement.

The City's green building ordinance is also triggered with a building construction budget that exceeds \$3 million and therefore the consultant will need to design a facility that will obtain a Silver Certification under the Leadership in Energy and Environmental Design (LEED) for the facility. This requires substantial documentation by the design team and detailed instructions to the contractor must be incorporated into the bid documents.

As a result of the above additional scopes, an increase to the consultant team's services is required for the additional services.

FISCAL IMPACT

Approval of this Resolution will authorize the City Administrator to increase the professional services agreement by an additional \$250,000.00.

1. AMOUNT OF RECOMMENDED PROFESSIONAL SERVICES AGREEMENT AMENDMENT:

Cost Description	Total Amount
Byrens Kim Design Works Professional Architectural Design Services Contract Amendment	\$250,000.00
Total Revised Professional Services Amendment Increase:	\$250,000.00

2. SOURCES OF FUNDING:

Funding Source	Amount
State Parks Bond Prop 84 Fund (2134); Capital Project Organization (92270); Consultant Contract Account (54411); Project (C470910)	\$250,000.00

The contract is funded through the State of California Proposition 84, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act which was passed by voters on November 7, 2006.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Byrens Kim Design Works has provided satisfactory professional services for numerous projects in the past and is currently one of the on-call services design firms used by the City.

PUBLIC OUTREACH / INTEREST

Byrens Kim Design Works, together with City staff from Public Works and the Oakland Parks and Recreation have conducted additional community focus group meetings on the development of the project's design. Prior to receiving the Prop. 84 grant, The City and community held meetings to collaboratively develop preliminary project scope which contributed to the award of the grant.

COORDINATION

The report has been coordinated with the Oakland Parks and Recreation Department. This report and the resolutions have been reviewed for form and legality by the Office of the City Attorney and have been reviewed by the Controller's Bureau.

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SUSTAINABLE OPPORTUNITIES

Economic: The design consultants are verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The consultant services are provided by local firms which will result in dollars being spent locally. In addition, when the recreation center is improved in the future, the facility will be a value-added asset to the City that could generate additional revenues for the City and local businesses.

Environmental: The building and landscape improvements will comply with the City's Green Building and Sustainability ordinances to achieve a minimum LEED Silver certification as well address site improvements meeting Bay Friendly Landscaping ordinance, stormwater quality improvements, natural resources conservation through the design and implementation of the project.

Social Equity: The Rainbow Recreation Center services economically disadvantaged residents with a high percentage of households living below poverty. The project will improve recreational and community-building opportunities for residents of all ages and enhance usability opportunities. The project will improve American with Disabilities Act (ADA) accessibility through compliant facilities for program spaces, restrooms, kitchen, parking, pathways and picnic areas.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution (1) Waiving The Competitive Request for Proposal/Qualification Process And (2) Authorizing The City Administrator, Or Designee, To Amend the Professional Services Agreement with Byrens Kim Design Works For The Rainbow Recreation Center Expansion and Renovation Project (No. C470910) In The Amount Not To Exceed An Additional Two Hundred Fifty Thousand Dollars (\$250,000.00) For A Total Seven Hundred Thousand Seventy Five Dollars (\$775,000.00).

Sabrina B. Landreth, City Administrator

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& Renovation Project

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For questions regarding this report, please contact Denise Louie, Capital Improvement Project
Coordinator, at (510) 238-3682.

Respectfully submitted,



Brooke A. Levin
Director, Public Works Department

Reviewed by:
Michael J. Neary, P.E.
Assistant Director
Bureau of Engineering and Construction

Reviewed by:
Danny Lau, P.E.
Division Manager, Project Delivery Division
Bureau of Engineering and Construction

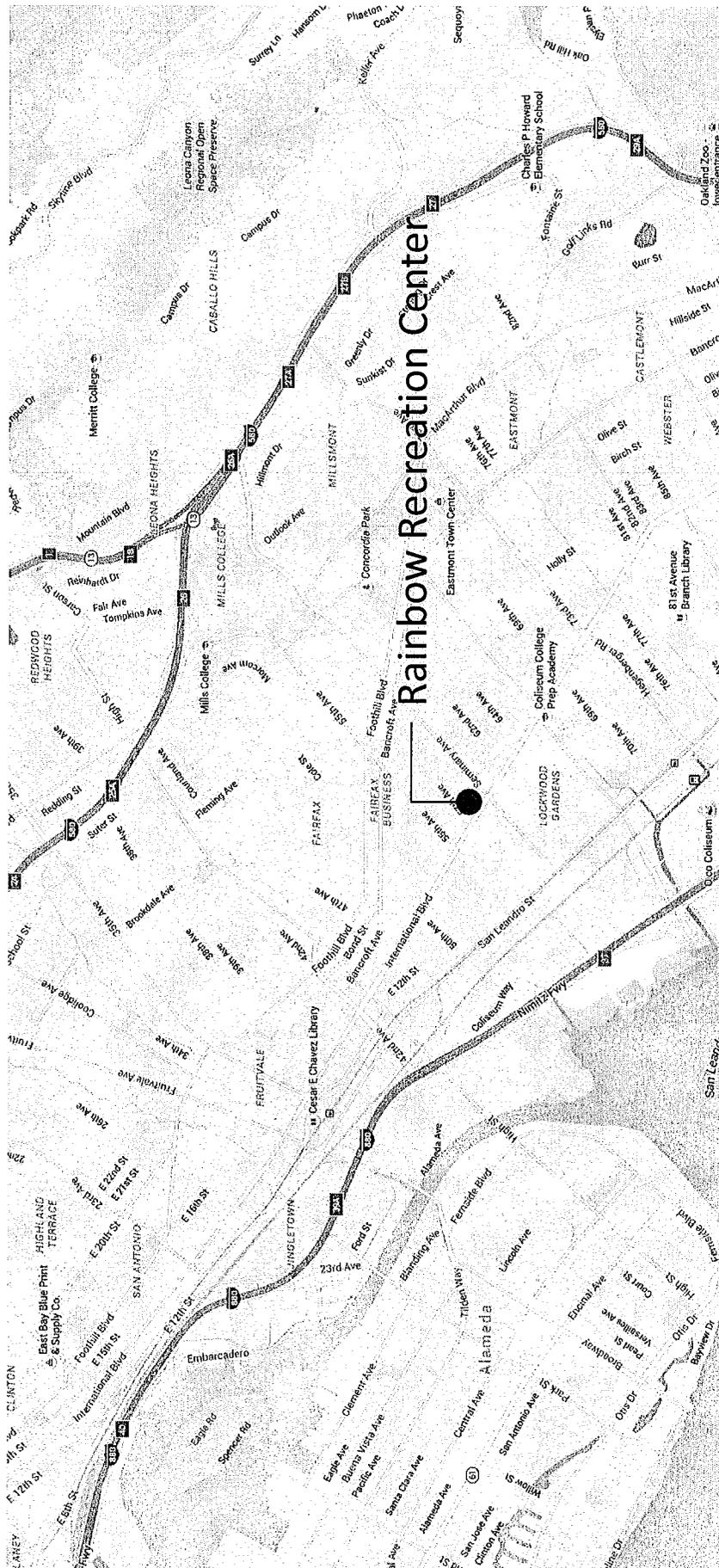
Prepared by:
Denise Louie, C.I.P. Coordinator
Bureau of Engineering and Construction

Attachment (1):

A: Project Location Map

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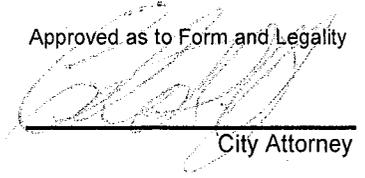
Attachment A: Project Location Map



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN 30 AM 11:45

Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

ADOPT A RESOLUTION (1) WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION PROCESS AND (2) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH BYRENS KIM DESIGNWORKS FOR THE RAINBOW RECREATION CENTER EXPANSION AND RENOVATION PROJECT (NO. C470910) IN THE AMOUNT NOT TO EXCEED AN ADDITIONAL TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR A TOTAL CONTRACT AMOUNT OF SEVEN HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$775,000.000)

WHEREAS, on July 21, 2015, the City Council approved Resolution No. 85726 C.M.S. awarding a professional architectural services contract to Byrens Kim Design Works in an amount not to exceed \$525,000.00; and

WHEREAS, Byrens Kim Design Works conducted additional meetings with community and staff to refine the design through Programming and Schematic Design phases; and

WHEREAS, the resulting project meets limited needs of the community, Oakland Parks & Recreation programs or provide increased benefit to the Public; and

WHEREAS, staff in consultation with Council representative, City Administrator and Interim Director of the Oakland Parks and Recreation determined that providing a fully functional facility is in the best interest of the City necessitating an increase to the consultant team's services to maximize improvements;; and

WHEREAS, Byrens Kim Design Works is a small local Oakland business and complies with all Local Business Enterprise/Small Local Business Enterprise requirements; and

WHEREAS, the expanded project triggers additional scope for accessibility, code and Stormwater management compliance as well as City's green building and sustainability ordinances requirements; and

WHEREAS, funding for the design services of the Rainbow Recreation Center Expansion and Renovation project within Amendment No. 1 is available from the State Parks Bond Prop 84 Fund (2134), Capital Project Management Organization (92270), Consultant Services Account (54411), Project (C470910); and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific or technical nature; and

WHEREAS, the City Council finds that services under the contract will be temporary in nature shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement of Section 2.04.051(A) of the Oakland Municipal Code in order to expedite the completion of the design and construction support services for the Rainbow Recreation Expansion and Renovation project and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and, be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to execute Amendment No. 1 to increase the agreement with Byrens Kim Design Works for professional architectural services in an amount not-to-exceed \$250,000.00, bringing the total contract amount to \$775,000.00; and, be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement; and, be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

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: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California