

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

2009 JUN 11 PM 4:09

**AGENDA REPORT**

TO: Office of the City/Agency Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: June 23, 2009

**RE: Report and Agency Resolution Authorizing the Agency Administrator to Negotiate and Execute an Amendment to the Professional Services Agreement with Lamphier-Gregory in an Amount Not to Exceed Four Hundred Thousand Dollars (\$400,000) for a Total Contract Amount of One Million Forty Three Thousand Dollars (\$1,043,000) and to Extend the Term of the Contract to from July 1, 2009 to June 30, 2011, with Two Additional One-Year Extensions by Mutual Written Agreement by the Parties, for Environmental Review Services Related to the Former Oakland Army Base.**

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**SUMMARY**

This report sets forth the ongoing need for professional services related to environmental review and analysis under the California Environmental Quality Act (CEQA) in support of the development of the Oakland Redevelopment Agency's (Agency's) Gateway Development Area (GDA) at the former Oakland Army Base. The report recommends amending the professional services agreement with Lamphier-Gregory to increase the current amount by \$400,000, to a total contract amount of \$1,043,000, and to extend the contract term from July 1, 2009 to June 30, 2011.

As the owner of approximately 161 acres of the former Oakland Army Base, the Agency will have an ongoing need for expertise in CEQA review and compliance. Lamphier-Gregory has consistently performed well for the Agency and serves a critical role on the Army Base technical advisory team.

**FISCAL IMPACT**

The funds to finance the increased professional services agreement amount are contained in the proposed Agency Budget for Fiscal Years 2009-2011. Funds in the amount of \$400,000 to increase the Lamphier-Gregory agreement over a two-year period are available in Oakland Army Base Leasing & Utility Fund (9575), West Oakland Base Reuse Org (88679), OBRA Leasing and Utility Project (S294210).

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Community and Economic Development Committee  
June 23, 2009

## **BACKGROUND**

### **Army Base Gateway Development**

Since transfer of the former Oakland Army Base property to the Agency in 2006, the Army Base project has progressed from pre-development activities to development planning. In support of this effort, Agency staff has worked with a team of highly-qualified professionals in the areas of civil engineering, planning, economic analysis, real estate services, environmental remediation, and California Environmental Quality Act (CEQA) analysis to provide project support for the multi-faceted and inter-related program of developing a former military base. Selection of each of these consultants was the result of a formal competitive procurement process.

### **CEQA Analysis and Related Support for Development Activities**

Lamphier-Gregory, an Oakland-based firm, is currently providing environmental consulting services for the Army Base project. The firm is extremely knowledgeable about the Army Base Redevelopment Plan, its CEQA-related issues, the environmental history and mitigation measures associated with that analysis, previous project proposals, and current project proposals. Lamphier-Gregory's services have been invaluable in supporting the Agency's development planning efforts, and have set the stage for future development.

Lamphier-Gregory's current efforts include CEQA analysis of the project to add fill to the soil of the Central Gateway and of Oakland Maritime Support Services ancillary maritime trucking services facility being planned for 15 acres of the GDA. Also underway is formulation of the Fair Share analysis to develop a framework and allocation of costs for developer contributions toward the MMRP mitigation measures. These efforts, together with as-needed environmental review and CEQA analyses going forward with a master developer and the Port, will comprise the consultant's work in the next two years.

## **KEY ISSUES AND IMPACTS**

Development of the Agency's Gateway Development Area (GDA) at the former Oakland Army Base is a multi-year project that requires not only specialized technical expertise, but an understanding of the base development issues and background. Now that development of the GDA has reached a critical stage, to ensure continuity and enable current and upcoming development to stay on-track, staff recommends amending the professional services agreement with Lamphier-Gregory to extend the term by two years and increase the contract amount.

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During the Master Developer ENA process, which is expected to start in summer 2009, the Agency will be coordinating with the Master Developer as well as with other potential property lessors or purchasers on their development plans for the GDA property. For any CEQA analysis required by new development, the Agency will need to conduct its own due diligence. As development plans for the GDA move forward, it will be essential to maintain the core experience and expertise of the technical team in order to ensure coordination and integration of the entire project.

## **PROJECT DESCRIPTION**

Work with Lamphier-Gregory will be directed on a task-order basis and will include:

- 1) Completion of the CEQA analysis (Addendum) for the fill and crushing operation to prepare the land in the Central GDA and for the ancillary maritime support services facility;
- 2) Completion of a Fair-Share Allocation Analysis to determine the appropriate financial contribution that should be obtained for future Army Base development for financing the necessary physical improvements and mitigations identified in the EIR MMRP;
- 3) Environmental review and analysis of future development GDA pursuant to CEQA; and
- 4) Other environmental review and analysis as needed.

Lamphier-Gregory has the background to complete these efforts efficiently and in a manner that builds on the existing known development issues, opportunities and constraints of the Army Base project. Staff recommends increasing the contract amount by \$400,000 and extending the contract term to June 30, 2011, with extension of the term by two (2) additional one-year terms by mutual written agreement by the parties.

## **EVALUATION OF PAST PERFORMANCE**

Staff has been satisfied with the work product that Lamphier-Gregory has provided. (Please see *Attachment A: Professional Services Contract Evaluation*.) In light of this, and the company's experience, background, expertise and strong familiarity with Army Base development issues, staff recommends extending Lamphier-Gregory's professional services agreement in order to continue the work underway and provide critical CEQA analysis of upcoming development proposals.

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## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The Agency's goals for potential development would generate significant high-quality jobs and tax revenue; preserve and expand local businesses; and would increase land values in a vacant, blighted, abandoned military facility.

**Environmental:** The Agency's goals for potential development would provide a mechanism to fund the environmental remediation of the Army Base, improve the waterfront, and allow for the development of an urban in-fill site.

**Social Equity:** The Agency's goals for potential development would generate jobs that are accessible to Oakland residents with a range of skill sets. Revenue generated from the redevelopment of the Army Base could be used to fund open space and other community benefits for West Oakland and the rest of Oakland.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

This report does not involve the approval of any specific projects or programs. Disability and senior access issues would be addressed when specific development plans are submitted to the City by a developer for review and approval.

## **RECOMMENDATIONS AND RATIONALE**

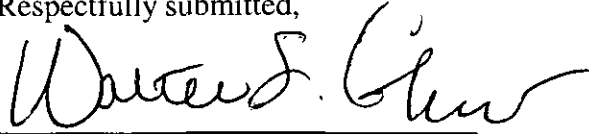
Staff recommends amending the professional services agreement with Lamphier-Gregory to increase the contract amount by \$400,000 and to extend the contract term from July 1, 2009 to June 30, 2011, with two additional one-year extensions by mutual written agreement between the parties, for continuity and to enable current and upcoming development to stay on-track. Development of the Agency's approximately 161-acre Gateway Development Area (GDA) at the former Oakland Army Base is a multi-year project that requires expertise in a number of technical areas, including environmental review and analysis pursuant to the California Environmental Quality Act (CEQA).

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**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the Council/Agency approve the attached resolution to authorize the Agency Administrator to negotiate and execute an amendment to the professional services agreement with Lamphier-Gregory to increase the contract amount by \$400,000 and to extend the contract term to from July 1, 2009 to June 30, 2011, with two additional one-year extensions by mutual written agreement between the parties.

Respectfully submitted,



Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by: Gregory Hunter, Deputy Director  
Economic Development and Redevelopment

Prepared by:  
Margaret Sullivan  
Program Analyst, CEDA-Redevelopment

APPROVED AND FORWARDED TO  
THE COMMUNITY AND ECONOMIC  
DEVELOPMENT COMMITTEE:



Office of the City/Agency Administrator

Attachments:

- A. Professional Services Contract Evaluation

# ATTACHMENT A

Evaluation of previous  
Lamphier-Gregory performance

# CONTRACTOR PERFORMANCE EVALUATION

## Assessment Guidelines

Outstanding	Performance exceeds contractual requirements.
Satisfactory	Performance meets contractual requirements.
Needs Improvement	Performance meets contractual requirements only after extensive corrective action was taken.
Unsatisfactory	Performance does not meet contractual requirements. The contractual performance being assessed reflects serious problems for which corrective actions were ineffective.

## Section 1: General Evaluation

Contractor	Lamphier-Gregory		
Contractor Type	None above		
If Other	CEQA Review and Fair Share Analysis		
Contract Amount (Amount must be \$5,000 or more)	\$643,000		
Date of Notice to Proceed	6/17/2008		
Date of Projected Completion	6/30/2010		
Date of Final Completion	6/30/2010		
Evaluator Name	Margaret Sullivan		
Evaluator Title	Program Analyst II		
Type of Contract	Select...		
If Other	Amendment		
Amend Amount	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
Amend Time	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	6/30/2011	

SCOPE OF WORK AND PERFORMANCE		Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
1	How would you describe the overall quality of the Contractor's performance based upon the contract's scope of work?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
1a	Was there a need to take corrective actions? ☞If "Yes", please specify date(s) and reason(s) for the correction(s) and proceed to 1B. If "No", Skip to Question 2 <input type="text"/>			<input type="radio"/> YES	<input checked="" type="radio"/> NO
1b	If corrective actions were required, how would you rate the quality of the Contractor's corrections?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2	How would you rate the organization, presentation, clarity and conciseness of the work/reports prepared by the Contractor? Please use Section 2: Contract-Specific Criteria to provide more detailed information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	How would you rate the expertise and skills of the personnel assigned by the Contractor to satisfactorily perform the work required under the contract?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4	How would you rate the coordination of the Contractor with sub-contractors and others involved in the project? If N/A, Skip to Question 5 Please use Section 2: Contract-Specific Criteria to provide more detailed information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
5	Were there <b>other</b> issues related to "Work Performance"? ☞If "Yes", please explain. <input type="text"/>		<input type="radio"/> YES, Major Issues	<input type="radio"/> YES, Minor Issues	<input checked="" type="radio"/> NO
6	Would you select this firm again for this type of project or program? ☞If "No", please explain. <input type="text"/>			<input checked="" type="radio"/> YES	<input type="radio"/> NO



	<b>TIMELINESS</b>	Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
7	How would you rate the Contractor's performance in completing the work/services within the time required by the contract?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
8	How would you rate the timeliness of any Contractor requests for amendments extending the time of the contract? <b>If N/A, Skip to Question 9</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9	Were there <b>other</b> issues related to timeliness? ☞If "Yes", please explain. <input type="text"/>		<input type="radio"/> YES, Major Issues	<input type="radio"/> YES, Minor Issues	<input checked="" type="radio"/> NO

	<b>FINANCIAL ADMINISTRATION</b>	Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
10	How would you rate the accuracy and completeness of the Contractor's billings?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11	Did the contractor request any increase to the contract amount based on the <u>original</u> scope of work? ☞If "Yes", please list the requested increase in contract amount Number of Requests <input type="text"/> Total Requested Amounts <input type="text"/> Total Settlement Amount: <input type="text"/>		<input type="radio"/> YES, Major Requests	<input type="radio"/> YES, Minor Requests	<input checked="" type="radio"/> NO
12	How would you rate the reasonableness of the Contractor's price quotes for changed or additional work? <b>If N/A, Skip to Question 13</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
13	Were there any billing disputes? ☞If "Yes", please explain. <input type="text"/>		<input type="radio"/> YES Major Disputes	<input type="radio"/> YES Minor Disputes	<input checked="" type="radio"/> NO
14	Were there any <b>other</b> financial issues? ☞If "Yes", please explain. <input type="text"/>		<input type="radio"/> YES, Major Issues	<input type="radio"/> YES, Minor Issues	<input checked="" type="radio"/> NO

COMMUNICATION		Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
15	How would you rate the Contractor's responsiveness to the Project Manager's questions, requests, changes, etc.?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
16	Please rate whether the Contractor communicated with the <u>Project Manager</u> in a timely manner regarding the following items:				
	16a. Notification of any significant issues that arose? If N/A, Skip to Question 16b	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	16b. Critical staffing issues (changes, replacements, additions, etc.)? If N/A, Skip to Question 16c	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	16c. Periodic progress reports if required by the contract (both verbal and written)? If N/A, Skip to Question 17	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17	How would you rate the Contractor's interaction, courtesy and helpfulness in dealing with: <ul style="list-style-type: none"> <li>• City/ ORA Staff</li> <li>• General public</li> <li>• Partners/ Stakeholders</li> <li>• Other public agencies</li> </ul>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
18	Please rate the quality of the contractor's public presentation(s). If N/A, Skip to Question 19	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
19	Were there any <u>other</u> issues related to communication issues? ☞ If "Yes", please explain.  <input type="text"/>		<input type="radio"/> YES, Major Issues	<input type="radio"/> YES, Minor Issues	<input checked="" type="radio"/> NO

Based on the weighting factors below, the Contractor's overall score has been calculated from the four categories above.

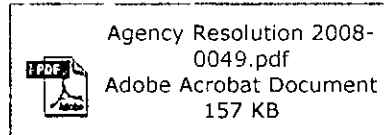
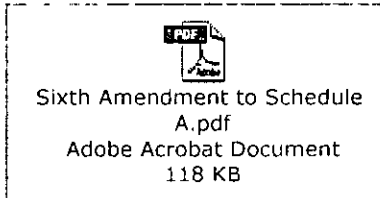
RATING - SECTION 1		Possible Score	Actual Score
1.	Score for Scope of Work and Performance	35	34
2.	Score for Timeliness	10	10
3.	Score for Financial Administration	25	23
4.	Score for Communication	20	19
<b>TOTAL SCORE</b>		<b>90</b>	<b>86</b>
<b>PERCENTAGE</b>		<b>96</b>	

Outstanding: 100% to 90%  
Satisfactory: 89% to 70%  
Needs Improvement: 69% to 60%  
Unsatisfactory: 59% or less

## Section 2: Contract-Specific Criteria

Use this section to highlight contract-specific information and any other performance criteria not covered in Section 1.

- Click the 'File Attachment' icon to attach applicable documentation (scope of work, evaluation matrices, deliverable tracking templates, etc.).



- Enter comments summarizing/explaining your attachments in the blank field provided.

Lamphier-Gregory has provided environmental consulting services to OBRA and the Redevelopment Agency since 2001. The firm is extremely knowledgeable about the Army Base Redevelopment Plan, the environmental history and mitigation measures associated with that analysis, previous project proposals, and current project proposals. The Agency is very satisfied with the services of Lamphier-Gregory.

In the past year, Lamphier-Gregory has compiled a detailed Fair Share Cost analysis required by the Army Base Mitigation Management and Reporting Program (MMRP) that determines the amount developers must pay for improvements to various intersections and streets. Staff is satisfied with the quality of the work done to date on this project and its timeliness.

Lamphier-Gregory has also been tasked to perform a CEQA review on two projects pending on the Army Base: 1) the planned Oakland Maritime Support Services truck parking and service operation within the East Gateway Area and 2) a geotechnical fill project in the Central Gateway. Lamphier-Gregory has been very thorough in its approach to this work, which is scheduled for completion by August 2009.

With regard to the East Bay MUD litigation, only \$2,400 were spent through Dowling & Associates for further traffic analysis regarding the proposed Auto Mall.

- Rate the Contractor based on the information and comments submitted.

RATING - SECTION 2	Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
Rate your Contractor's overall performance in relation to information provided in Section 2.	☐	☐	☐	●

### Section 3: Sub-contractors Evaluation

Use this optional section to highlight Sub-contractor performance.


Sub contractor's name:

Dowling & Associates


Sub contractor's type:


Traffic Engineering

- Click the 'File Attachment' icon to attach applicable documentation (scope of work, evaluation matrices, deliverable tracking templates, etc.).



Lamphier-Gregory's Dowling  
Scope letter (10-24-08).pdf  
Adobe Acrobat Document  
220 KB

 File Attachment

 File Attachment

- Enter comments summarizing/explaining your attachments in the blank field provided.

As a sub-contractor, Dowling & Associates has conducted the traffic engineering analysis needed for environmental review of traffic and circulation patterns for individual Army Base projects, specifically the auto mall project, the OMSS project, the proposed aggregate crushing and recycling facility in the Central Gateway Area, and a minimal amount of on circulation for the proposed Auto Mall. Dowling is a highly regarded traffic engineering firm and is also very thorough with its analysis. Dowling does not hesitate to identify flaws in proposed circulation designs, which in the long run protects the developer and the Agency from serious CEQA and engineering problems. Staff has engaged Dowling's services on other projects related to the Army Base, such as "fatal flaw" analyses for proposed circulation patterns in the North Gateway Area, and has been equally satisfied with their responsiveness and input.

- Rate the Sub-contractor based on the information and comments submitted.

<b>RATING - SECTION 3</b>	<b>Unsatisfactory</b>	<b>Needs Improvement</b>	<b>Satisfactory</b>	<b>Outstanding</b>
Rate your Sub-contractor's overall performance in relation to information provided in Section 3.	☺	☺	☺	☺

## Overall Rating

RATING - FINAL	Unsatisfactory	Needs Improvement	Satisfactory	Outstanding
Rate overall Contractor's performance	☐	☐	☑	☐

➡ (1) Submit evaluation to Unit Supervisor for review.

(2) Save Evaluation Form to shared drive: \Library2\redvelopment\ScheduleL2\Completed Evaluation Forms.



Project Manager

Al Auletta

Print Name

6-3-09

Date

Supervisor

Print Name

Date

## Lamphier-Gregory Schedule A – 6<sup>th</sup> Amendment

### SIXTH AMENDMENT TO SCHEDULE A LAMPHIER-GREGORY SCOPE OF WORK

The scope of services under this amendment is an on-call services agreement with a not-to-exceed cap of \$100,000.00. Within that cap, Lamphier-Gregory will work on a time-and-materials basis on specific tasks as requested by staff (hourly rate schedule is attached), or on a task order basis for assignments that have specifically defined scopes of work and budgets.

The individual tasks or services that may be performed under this agreement may include the following:

#### CEQA Review, Gateway Billboard

Lamphier-Gregory may prepare the necessary CEQA document for environmental review of a proposed billboard related to the Auto Mall project at the former Oakland Army Base (OARB) Redevelopment Plan Area. This effort would include:

- Review and analysis of materials presented by the proposed billboard developer and the City of Oakland for suitability of the project description.
- Detailed review of City of Oakland and State of California policies related to billboards, aesthetics and siting requirements.
- Assessment of environmental issues related to the proposed billboard, with particular focus on lighting and glare, and driver safety.
- Drafting of the CEQA document, including up to two rounds of revisions.
- Printing of final copies, participation in coordination meetings with City staff, and attendance at Planning Commission and City Council hearings.

Lamphier-Gregory could provide these services under a subsequent task order with a maximum, not-to exceed budget once a final scope of work for the task order is agreed upon.

#### East Bay Municipal Utility District Litigation Support

With subconsultant, Dowling Associates, Lamphier-Gregory may be called upon to provide certain support to City staff in preparation for defense against EBMUD litigation over the City's certification of the OARB Auto Mall Supplemental EIR and approval of the Auto Mall Project. Such support may include fact-checking of information and EBMUD assertions, as well as providing assistance to City staff in locating and verifying information included in the Supplemental EIR record.

Such services would be provided by Lamphier-Gregory and/or Dowling Associates on a time-and-materials basis.

## Lamphier-Gregory Schedule A – 6<sup>th</sup> Amendment

### Fair Share Report

Lamphier-Gregory may provide additional professional planning services to the City toward finalization of the Oakland Army Base (OARB) Fair Share Study for implementation of OARB Redevelopment Plan and Auto Mall CEQA mitigation measures. This scope would represent an update to previous efforts, including the prior “Costco Fair Share Allocation Report”, the “City/Port Fair Share Report”, and the draft “Auto Mall Fair Share” study. At such time as certain assumptions used in the prior reports are resolved by the City, the scope of work and cost for this effort can be determined.

### Other Environmental Review and Planning Services

Redevelopment opportunities and development plans throughout City Gateway of the former Oakland Army Base may continue to evolve. Such evolving plans may include expansion of an Auto Mall area to the west of the previously approved Oakland Army Base Auto Mall, expansion of Ancillary Maritime Support (AMS) uses, and potential further consideration of retail opportunities in the North and South Gateway subareas. These redevelopment considerations are for properties that are separate from the East and Central gateway subareas, which are the subject of the City’s recent Master Developer RFQ. Depending upon the finalized description of any such project within the North or South Gateway subareas, additional environmental review may be necessary. Such review may take the form of an Addendum to previously prepared environmental documents, or may include preparation of Subsequent or Supplemental EIRs to the OARB Redevelopment Area EIR.

Lamphier-Gregory may assist City of Oakland staff in defining the environmental review requirements for such projects, and would provide such services under a separate task order or on a time-and-materials basis. Lamphier-Gregory may also assist City staff with other, as yet undefined planning and environmental review efforts as may be directed by the City.

**Lamphier-Gregory Schedule A – 6<sup>th</sup> Amendment**

**Lamphier-Gregory  
Hourly Rate Schedule**

Scott Gregory, Principal	\$165/hour
Senior Planner	\$150/hour
Associate Planner	\$130/hour
Administrative Support Staff	\$ 70/hour

Rates provided are valid for 2008 only. New rates, based on reasonable cost-of-living increases, will be used for work performed in 2009 and annually thereafter if necessary.


Payment is due within 30 days of receipt of invoices.

Reimbursable expenses are invoiced at cost plus 10%.



APPROVED AS TO FORM AND LEGALITY:

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
Alya Rosenthal  
Agency Counsel

2008 MAY 29 PM 3:55

**OAKLAND REDEVELOPMENT AGENCY**

2008 - 0049  
RESOLUTION No. \_\_\_\_\_ C.M.S.

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**OAKLAND REDEVELOPMENT AGENCY (AGENCY) RESOLUTION REGARDING AMENDMENTS TO EXISTING PROFESSIONAL SERVICES AGREEMENTS IN SUPPORT OF DEVELOPMENT OF THE GATEWAY DEVELOPMENT AREA AT THE FORMER OAKLAND ARMY BASE:**

- 1) AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN & ASSOCIATES IN AN AMOUNT NOT TO EXCEED NINE HUNDRED SIXTY THOUSAND DOLLARS (\$960,000) FOR A TOTAL CONTRACT AMOUNT OF TWO MILLION NINE HUNDRED SIXTY THOUSAND DOLLARS (\$2,960,000);
- 2) AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH URS CORPORATION TO EXTEND THE TERM OF THE CONTRACT TO JUNE 30, 2010, WITH NO CHANGE TO THE EXISTING CONTRACT AMOUNT; AND
- 3) AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LAMPHIER-GREGORY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR A TOTAL CONTRACT AMOUNT OF SIX HUNDRED FORTY THREE THOUSAND DOLLARS (\$643,000).

**WHEREAS**, the Oakland Redevelopment Agency (Agency) is working to redevelop the 165-acre Gateway Development Area (GDA) at the former Oakland Army Base in West Oakland; and

**WHEREAS**, the GDA is a multi-year project that requires expertise in engineering and planning, environmental services, and California Environmental Quality Act (CEQA) analysis; and

**WHEREAS**, Kimley-Horn Associates is the project engineer for the infrastructure design and engineering at the GDA, including preparation of a draft Tract Map Application, an application for new water (EBMUD) and utility (PG&E) service; and

**WHEREAS**, Agency staff has been very satisfied with Kimley-Horn's work, and recommends that the Agency continue to use them for necessary program management

and engineering and planning services related to the planned development of the Gateway Development Area; and

**WHEREAS**, Agency staff recommends extending the Kimley-Horn contract through June 30, 2010, and by an additional \$960,000 for a total contract amount of \$2,960,000; and

**WHEREAS**, URS Corporation has provided valuable engineering services in support of the environmental remediation program, which includes the removal of existing structures within the Gateway Development Area; and

**WHEREAS**, Agency staff has been very satisfied with URS's work, and recommends that the Agency continue to use them for necessary remediation work, and extend their contract term through June 30, 2010; and

**WHEREAS**, for many years Lamphier-Gregory has provided the Agency with CEQA environmental review and related analysis in support of development plans for the Gateway Development Area at the Army Base, and Agency staff has been satisfied with the work product that Lamphier-Gregory has provided; and

**WHEREAS**, in light of the company's experience, background, expertise and strong familiarity with Army Base development issues, Agency staff recommends extending Lamphier-Gregory's professional services agreement in order to continue work underway and provide for the critical CEQA analysis of upcoming development proposals; and

**WHEREAS**, Agency staff recommends extending the Lamphier-Gregory contract through June 30, 2010, and by an additional \$100,000, bringing the total contract amount to \$643,000; and

**WHEREAS**, the Agency Administrator believes that the agreements with Kimley-Horn, Lamphier-Gregory and URS Corporation are essential to the redevelopment and planning for the reuse of the former Oakland Army Base;

NOW THEREFORE BE IT

**RESOLVED:** That the Redevelopment Agency of the City of Oakland hereby authorizes the Agency Administrator to take all actions necessary to negotiate and execute an amendment to the professional services agreement with Kimley-Horn & Associates to extend the agreement through June 30, 2010, and to increase the contract amount by an additional Nine Hundred Sixty Thousand Dollars (\$960,000) for a total contract amount of Two Million Nine Hundred Sixty Thousand Dollars (\$2,960,000); and be it

**FURTHER RESOLVED:** That the Redevelopment Agency of the City of Oakland hereby authorizes the Agency Administrator to take all actions necessary to negotiate and execute an amendment to the professional services agreement with URS Corporation to extend the agreement through June 30, 2010; and be it

**FURTHER RESOLVED:** That the Redevelopment Agency of the City of Oakland hereby authorizes the Agency Administrator to take all actions necessary to negotiate and execute an amendment to the professional services agreement with Lamphier-Gregory to extend the agreement through June 30, 2010, and to increase the contract amount by an additional One Hundred Thousand Dollars (\$100,000), bringing the total contract amount to Six Hundred Forty-Three Thousand Dollars (\$643,000); and be it

**FURTHER RESOLVED:** That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with CEQA because this action on the part of the Agency (a) relies upon the previously certified 2002 Oakland Army Base EIR and the 2006 Bay Bridge Automall Project Supplemental EIR and does not meet the requirements for further environmental review under CEQA Guidelines Section 15162 and 15164; and (b) is otherwise exempt under CEQA Guidelines Section 15301 (existing facilities), and/or Section 15262 (Planning and Feasibility Studies); and be it

**FURTHER RESOLVED:** That the Agency Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 17 2008, 2008

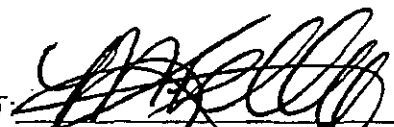
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID,  
AND CHAIRPERSON DE LA FUENTE - 8

NOES-  $\phi$

ABSENT-  $\phi$

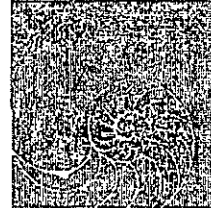
ABSTENTION-  $\phi$

ATTEST:   
LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland

L A M P H I E R · G R E G O R Y

October 24, 2008

Ms. Margaret Stanzione  
City of Oakland  
Community and Economic Development Agency  
250 Frank Ogawa Plaza, Room 3315  
Oakland, CA 94607



Dear Marge,

We have coordinated with our traffic subconsultant, Mark Bowman at Dowling Associates, to provide this scope of work, cost, and schedule for updating and finalizing the Oakland Army Base (OARB) Fair Share Study.

We anticipate that the first step, a draft of the updated traffic allocations, could be provided within 7 weeks of the notice to proceed and finalization of the approach including the proposed development scenarios. We estimate that the total cost for updating and finalizing the Fair Share Report would not exceed \$28,000, as detailed in the attached scope of services.

Per our existing amended contract with the City of Oakland, we propose to complete this work on a task order basis based upon this specifically defined scope of work and budget. There is adequate budget under the existing contract to complete the work currently proposed.

We look forward to continuing our role of supporting the City in developing a fair share approach to allocating responsibility for implementation of mitigation measures as defined in the OARB Redevelopment Plan EIR and the Auto Mall SEIR. If you have any questions please feel free to call me.

Sincerely,

*Scott Gregory* [Sent via email]

Scott Gregory, Principal  
Lamphier-Gregory

## **SCOPE OF SERVICES**

### **Update and Finalization of the OARB Fair Share Report**

#### **UNDERSTANDING OF THE PROJECT**

The OARB Redevelopment Area EIR and subsequent Auto Mall Supplemental EIR identified a number of mitigation measures that would be funded on a fair-share basis by components of the OARB Redevelopment Area including the Port and the City's Gateway Development sub-areas. In order to determine fair-share allocations, a fair share report must be prepared that includes analysis of the probable cost of these mitigations and determination of the allocation of those costs for each component of the OARB Redevelopment Area.

A draft Fair Share Report was submitted to the City in November 2007 that estimated costs and outlined decision-points for allocation strategies and the implications of such decisions on actual fair share allocations to components of the OARB Redevelopment Area.

Moving forward, the City has requested that the traffic allocation be updated as necessary to reflect current conditions and re-assessed under a different development scenario and that we work together to choose between allocation scenarios and finalize the fair share report.

#### **SCOPE OF WORK**

##### **Task 1: Update the traffic model**

The City has requested fair share allocations be re-determined for intersection improvements because development assumptions for the Gateway Development Area have changed and to reflect the most recent Alameda Countywide Travel Model.

Dowling Engineers propose to complete this work at a cost of \$15,000.

The following assumptions have been included in their scope:

1. Proposed uses in the Gateway Development Sub-Areas will be updated per instruction from the City based upon proposed development scenarios. A second scenario will also be assessed including the scenario as described, but with substitution of an Auto Mall in the North Gateway sub-area.
2. Within the OARB, all other assumed uses in the model will remain the same as in the model for the fair share analysis completed in 2007, including the proposed port development, the proposed 16<sup>th</sup> and Wood Street development and the baseline of "existing" uses.
3. A hybrid of the previous and new Alameda Countywide Travel Models will be used. The new model will be used to determine the background number of vehicles entering each

intersection and the old model will be used to proportionalize the movements of proposed OARB development. This hybrid approach is recommended as a quicker and less costly approach to reflect the new model without the need to re-do the entire link analysis and port-related traffic corrections necessary to assess fair-share allocations in this area.

4. The same intersections will be analyzed as in the last analysis except for the following:
  - a. Powel Street/I-80 intersection has been excluded because it is outside the City's jurisdiction, and
  - b. Two additional intersections have been included that were identified in the Auto Mall SEIR related to development of the East Gateway. We were previously asked to presume these improvements would be funded by the Redevelopment Agency or one developer, but they are included here to assess/allow for a fair-share distribution as specified in these mitigation measures.
5. No update of cost estimates. While costs of land, materials and labor have fluctuated since the cost estimates were produced in October 2007, the continued instability in the market results in a high margin of error for estimations generated today. For these reasons, Kirnley Horn, the previous cost estimator, advises that an update of the costs at this time would not necessarily increase the accuracy of those estimates for construction not anticipated to commence within the year.

### **Task 2: Finalize the Fair Share Analysis**

The allocation options will be discussed with the City and decisions/conclusions made to allow finalization of the Fair-Share document. This will involve new analysis of the traffic-related allocations and discussion of the existing analysis of other items to elucidate the decisions being made.

### **Task 3. Meetings**

This scope presumes up to three meetings will be attended by Dowling Associates and up to four meetings will be attended by Lamphier-Gregory, including the kick-off meeting attended on 10/9/08.

### **BUDGET**

The cost for Lamphier-Gregory and Dowling Associates to complete an updated traffic fair-share allocation and finalized fair share report is estimated not-to-exceed \$27,000, to be billed on a time and materials basis. This amount includes \$15,000 for Dowling Associates to complete Task 1 and \$12,000 for Lamphier-Gregory to coordinate and/or complete Tasks 1, 2 and 3 in coordination with Dowling Associates and the City.

### SCHEDULE

A draft of the updated fair-share allocations for traffic improvements could be completed within 7 weeks of a notice to proceed and finalization of the development scenarios for the Gateway Development Area.

Finalization of the Fair Share Report would be contingent on the City's schedule for decision-making, but could be completed within 2 weeks of these final decisions being made.

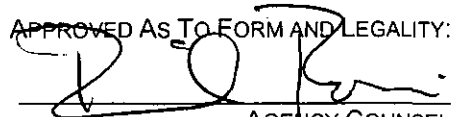
### OPTIONAL TASKS

**A Complete Set of New Traffic Modeling.** If the City would prefer to do a complete set of new modeling using the new Alameda Countywide Travel Model instead of the proposed hybrid version, Dowling Associates estimates this would cost an additional \$25,000 and take an additional 5 weeks, for a total of \$52,000 and 12 weeks to a draft traffic allocation. The new modeling would require Dowling to clean up the model in that area and then after producing results, add in the Port traffic. Neither the old or new models do a good job of estimating the special trip generation of the Port maritime land uses. Dowling Associates can provide additional information regarding this additional work if the City desires to pursue this option.

**Updated Cost Estimates.** If the City would like to pursue updating the estimate of the cost for intersection improvements, we can coordinate further with Kimley-Horn but anticipate this could be completed in the proposed schedule and would cost an additional \$3,000 for a total budget of \$30,000.

2009 JUN 11 PM 4:09

APPROVED AS TO FORM AND LEGALITY:

  
AGENCY COUNSEL

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**Agency Resolution Authorizing the Agency Administrator to Negotiate and Execute an Amendment to the Professional Services Agreement with Lamphier-Gregory in an Amount Not to Exceed Four Hundred Thousand Dollars (\$400,000) for a Total Contract Amount of One Million Forty Three Thousand Dollars (\$1,043,000) and to Extend the Term of the Contract from July 1, 2009 to June 30, 2011, with Two Additional One-Year Extensions by Mutual Written Agreement by the Parties, for Environmental Review Services Related to the Former Oakland Army Base**

**WHEREAS**, Lamphier-Gregory ("Contractor") is the environmental impact analysis consultant in support of the Agency's (ORA's) redevelopment of the 165-acre Gateway Development Area at the former Oakland Army Base, which is a multi-year project that requires the Contractor's knowledge and expertise; and

**WHEREAS**, selection of Contractor was the result of a formal competitive procurement process, using a Request for Proposal ("RFP") process, to solicit, evaluate and select the most qualified contractors to provide these as-needed environmental review services at the Army Base; and

**WHEREAS**, upon completion of the RFP process, staff recommended using Contractor, based in Oakland, for as-needed environmental review services; and

**WHEREAS**, by way of ORA Resolution 2007-0014, approved on March 20, 2007, ORA accepted the rights and obligations of the Oakland Base Reuse Authority regarding the Professional Services Agreement with Contractor in an amount not to exceed Four Hundred Three Thousand Dollars (\$403,000), and authorized the Agency Administrator to approve and execute an amendment to said Professional Services Agreement in an amount not to exceed One Hundred Forty Thousand Dollars (\$140,000), for a total contract amount of Five Hundred Forty Three Thousand Dollars (\$543,000), over a 3-year period from June 30, 2005 – June 30, 2008; and



**WHEREAS**, by way of ORA Resolution 2008-0049, approved on June 17, 2008, staff executed an amendment to said Professional Services Agreement to broaden the scope of services, extend the term to June 30, 2009, and increase the amount paid to the Contractor by One Hundred Thousand Dollars (\$100,000); and

**WHEREAS**, staff is satisfied with the performance of Contractor; and

**WHEREAS**, ORA has an ongoing need for Contractor's services to complete environmental review efforts underway and to support ORA's due diligence pursuant to the requirements of the California Environmental Quality Act (CEQA) in upcoming land use planning and negotiations for master development of the Gateway Development Area; now, therefore, be it

**RESOLVED:** That the Agency Administrator is hereby authorized and directed to negotiate and enter into an amendment to the professional services agreement with Contractor for as-needed environmental consulting services pursuant to the California Environmental Quality Act at the former Oakland Army Base in an amount not to exceed Four Hundred Thousand Dollars (\$400,000) for a total contract amount of One Million Forty Three Thousand Dollars (\$1,043,000), and to extend the term of the contract from July 1, 2009, to June 30, 2011; and be it

**FURTHER RESOLVED:** That the Agency Administrator may extend the term by two (2) additional one-year terms by mutual agreement of the parties; provided that the contract amount is not increased; and be it

**FURTHER RESOLVED:** That the funds in the amount of \$400,000 for said amendment are budgeted in the Oakland Army Base Leasing & Utility Fund (9575), West Oakland Base Reuse Org (88679), OBRA Leasing and Utility Project (S294210).

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2009

AYES – KERNIGHAN, NADEL, QUAN, DE LA FUENTE, REID, BROOKS, KAPLAN,  
AND CHAIRPERSON BRUNNER

NOES –

ABSENT –

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
Secretary of the Redevelopment  
Agency of the City of Oakland,  
California