

CITY OF OAKLAND
AGENDA REPORT

2012 JAN 11 AM 10:19

TO: Office of the City Administrator
ATTN: Deanna J. Santana
FROM: Public Works Agency
DATE: January 24, 2012

RE: Resolution Waiving The Request For Proposal/Request For Qualifications ("RFQ/RFP") Competitive Selection Requirement And Authorizing The City Administrator To Amend The Professional Services Contract With URS Corporation To Add Design And Engineering Services For Bridge Seismic Retrofit Projects And Increase The Contract Amount By Six Hundred Thousand Dollars (\$600,000.00) For A Total Contract Amount Not To Exceed Eight Hundred Twenty-Nine Thousand Four Hundred Dollars (\$829,400.00)

SUMMARY

A resolution has been prepared that waives the RFP/RFQ competitive selection process requirement and authorizes an amendment to the existing professional services contract with URS Corporation for the seismic retrofit of six bridges in Oakland. This resolution will extend the contract and increase the scope of work and contract amount by \$600,000.00 for a total contract amount not to exceed \$829,400.00. The bridges are:

- 1) Park Blvd Viaducts,
- 2) Campus Drive Bridge over Tributary to Lion Creek,
- 3) Coliseum Way Bridge over Damon Slough,
- 4) Hegenberger Road Bridge over San Leandro Street, Union Pacific Railroad (UPRR), and Bay Area Rapid Transit (BART),
- 5) 23rd Avenue Bridge over UPRR, and
- 6) Leimert Blvd Bridge over Sausal Creek.

URS Corporation was selected through a competitive process by the California Department of Transportation (Caltrans) to design structural upgrades and prepare construction documents for the seismic retrofit of the above listed bridges. The structural plans and specifications were forwarded with grant funding to the City of Oakland to proceed with the Preliminary Engineering (PE) phase and get the projects ready for bidding and construction. It should be noted that grant funding mainly is authorized at two stages. The above contract with URS Corporation was for the PE phase only with an understanding that additional scope will be added later at the time of bidding and construction.

Subsequently, the City entered into a contract with URS Corporation (Council Resolution No. 77815 C.M.S.) for a not-to-exceed amount of \$229,400.00 to continue with the PE phase. Funding for bidding and construction support services were to be added after the completion of the PE phase.

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The approval of the environmental documents from Caltrans and regulatory agencies presented many scope changes and delays. This amendment responds to the scope changes encountered during the environmental review and includes additional scope for bidding and construction support services.

The funding agency (Caltrans) has approved this extension as the added costs for design will be reimbursed to the City by a federal grant at eighty-eight and a half percent (88.5%). The added cost for bidding and construction support will be reimbursed by a federal and state grant at one hundred percent (100.00%). The estimated construction cost for all six bridge projects is \$27 million.

It is in the City's best interest, from a liability and cost-effectiveness perspective, to retain the Engineer of Record and to extend the existing contract with URS Corporation for the added engineering services. The projects are located in Council Districts 4, 6, and 7.

FISCAL IMPACT

This amendment will extend the duration of the contract and increase the contract amount by \$600,000.00 for a total contract amount not to exceed \$829,400.00. The projects have sufficient funds to complete the additional work as shown in Table 1 below:

Table 1 – Funds Availability

Project Name	Project #	Fund	Org	Account	Amount
Seismic Retrofit of Park Blvd Viaducts	C346910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$10,000
Seismic Retrofit of Campus Drive Bridge	C346710	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$25,000
Seismic Retrofit of Coliseum Way Bridge	C346810	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$25,000
Seismic Retrofit of Hegenberger Rd Bridge	C347110	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H82910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$88,500
	H82920	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$11,500
Seismic Retrofit of 23 rd Ave Bridge	C347210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$123,900

Seismic Retrofit of 23 rd Ave Bridge (cont'd)	H83220	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$16,100
Seismic Retrofit of Leimert Blvd Bridge	C347010	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83110	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$159,300
	H83120	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$20,700
Total					\$600,000

* These funds will be appropriated into the projects when Caltrans approves the projects for construction.

The City is currently responsible for maintenance of these bridges. The maintenance responsibility will continue, but maintenance costs should be reduced following the rehabilitation of the bridges.

BACKGROUND

Caltrans selected several Oakland bridges that are in need of retrofit as part of the Seismic Safety Retrofit Program. Caltrans selected URS Corporation through a competitive process to design structural upgrades and prepare structural plans for the seismic retrofit work to satisfy no-collapse criteria. Caltrans forwarded the completed structural plans and specifications to the City of Oakland with funding to proceed with the PE phase and get the projects ready for bidding and construction. It should be noted that grant funding mainly is authorized at two stages: PE phase and construction phase. Funding for the construction phase is authorized after the PE phase is complete.

Based on funding approved for the PE phase, the City entered into a contract with URS Corporation (Council Resolution No. 77815 C.M.S.) for a not-to-exceed amount of \$229,400.00 to proceed with the PE phase only with the expectation that additional scope will be added later at the time of bidding and construction. The contract scope included services to define limits of work and proposed staging areas; identify temporary construction easements (TCE) and permanent right-of-way; prepare TCE plat maps and legal descriptions; and submit plans to permitting agencies to secure necessary permits and environmental approvals.

The environmental approval process was very lengthy and substantial scope changes and delays were encountered. Two amendments were issued to extend the duration of the contract without increases to the contract amount and to keep the projects on track while waiting for environmental approvals. Scope changes include re-evaluation of seismic criteria, structural seismic reinforcement analysis, the addition of debris protection structures with associated clearance details for Union Pacific Railroad (UPRR) and Bay Area Rapid Transit (BART), finalizing environmental documents, re-design to comply with historical preservation requirements.

Currently, the necessary permits and environmental approval for all projects, except for the Leimert Blvd Bridge project, have been successfully obtained. All design work for Park Blvd Viaducts,

Campus Drive Bridge, and Coliseum Way Bridge projects is complete as they are or will be in construction soon. The remaining three bridge projects (Hegenberger Road Bridge, 23rd Avenue Bridge, and Leimert Blvd Bridge) are in the PE phase. Hegenberger Road and 23rd Avenue Bridge projects are near completion of the PE phase and the Leimert Blvd Bridge project is under re-design for historical preservation.

The contract with URS Corporation needs to be extended to include additional scope as discussed above and to provide bidding and construction support. Table 2 below provides a breakdown of contract cost increase for each bridge project:

Table 2 – Amendment Cost Breakdown

Phase	Park Blvd Viaducts	Campus Drive Bridge	Coliseum Way Bridge	Hegenberger Road Bridge	23rd Avenue Bridge	Leimert Blvd Bridge	Total
Design Phase	\$0	\$0	\$0	\$100,000	\$140,000	\$180,000	\$420,000
Bidding Support Phase	\$0	\$0	\$0	\$10,000	\$10,000	\$10,000	\$30,000
Construction Support Phase	\$10,000	\$25,000	\$25,000	\$30,000	\$30,000	\$30,000	\$150,000
Amendment Total Not-To-Exceed Amount	\$10,000	\$25,000	\$25,000	\$140,000	\$180,000	\$220,000	\$600,000

Staff sought and received approval from the funding agency (Caltrans) to increase the URS contract amount and qualify the additional PE cost for federal grant reimbursement. In addition, funding for the construction phase was authorized by Caltrans on three projects (Park Blvd Viaducts, Campus Drive Bridge, and Coliseum Way Bridge). Funding for the construction phase of the remaining three projects (Hegenberger Road Bridge, 23rd Avenue Bridge, and Leimert Blvd Bridge) is expected after the PE phase is complete.

In summary, the contract increase and extension are needed to complete the delivery of the six bridge projects. The extension and amount increase of the contract is needed due to the following reasons:

- 1) Phase-based funding and recent approval of the construction phase funding by Caltrans.
- 2) Delay in the environmental approval process by Caltrans.
- 3) Scope changes required to comply with the environmental requirements.

KEY ISSUES AND IMPACTS

Approval of this amendment will retain the “Engineer of Record” throughout the bidding and construction phase of these projects to respond to and resolve design related issues. This will ensure continuity of the original professional liability and minimize costly delays during construction. It is in the best interest of the City to waive the RFP requirement (per Oakland Municipal Code Section 2.04.051 B) because URS Corporation is the “Engineer of Record” for these projects. URS Corporation has extensive project knowledge and has completed the original seismic retrofit structural plans. This action conforms to the federal funding requirements.

This amendment will allow URS Corporation to continue the design work to completion, provide necessary additional support during bidding and construction, and help ensure meeting the obligation deadlines. In addition, this amendment will allow staff to obtain reimbursement from the funding agency (Caltrans). Caltrans recommends this extension and will fully reimburse the City for expenses related to this amendment.

Since these projects are funded by federal funds, the federal Disadvantaged Business Enterprise (DBE) Program is being used in lieu of the City’s Local/Small Local Business Enterprise (LBE/SLBE) Program. The existing professional services contract with URS Corporation has a 1.5% DBE participation. URS Corporation will continue to comply with federal DBE program. For informational purpose, URS Corporation is a Local Business Enterprise and the contract will include 98.5% LBE participation.

PROJECT DESCRIPTION

The work will include design, bidding and construction support for the following bridge projects:

- 1) Park Blvd Viaducts,
- 2) Campus Drive Bridge over Tributary to Lion Creek,
- 3) Coliseum Way Bridge over Damon Slough,
- 4) Hegenberger Road Bridge over San Leandro Street, Union Pacific Railroad (UPRR), and Bay Area Rapid Transit (BART),
- 5) 23rd Avenue Bridge over UPRR, and
- 6) Leimert Blvd Bridge over Sausal Creek.

The proposed construction work, in general, includes structural excavation and backfill; piling, concrete bridge work; diaphragm bolster; concrete coring; drilling and doweling; reinforcement steel and miscellaneous metal work; waterproofing; and column casing. Completion of bridge seismic retrofit projects will ultimately improve seismic response of City facilities during earthquakes.

EVALUATION OF PAST PERFORMANCE

The City currently has active contracts with URS Corporation and the consultant is performing

satisfactorily on these projects.

SUSTAINABLE OPPORTUNITIES

Economic: There is no direct economic impact identified as part of the proposed amendment; however, the proposed amendment will facilitate seismic retrofit of six bridges ensuring continued safe use of the structures and allowing traffic to continue to use the bridges following an earthquake, which is critical to rapid recovery. The rehabilitation of the bridges will also reduce maintenance costs.

Environmental: There is no direct environmental impact identified as part of the proposed amendment.

Social Equity: There is no direct social equity impact identified as part of the proposed amendment; however, the proposed amendment will facilitate seismic retrofit of six bridges that will enhance pedestrian and vehicular safety, thereby benefiting all Oakland residents.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct disability and senior citizen access impact identified as part of the proposed amendment; however, the proposed amendment will facilitate seismic retrofit of six bridges that will enhance safety to pedestrians including senior citizens. During construction, the contractors will be required to provide and maintain safe access to pedestrians that is in full compliance with the Americans with Disabilities Act (ADA).

RECOMMENDATION AND RATIONALE


It is recommended that the City Council approve the resolution that authorizes the City Administrator, or her designee, to amend the professional services contract with URS Corporation for the **Bridge Seismic Retrofit Projects** and waive the RFP/RFQ requirements to add design and other necessary project services and increase the contract amount by Six Hundred Thousand Dollars (\$600,000.00), for a total contract amount not to exceed Eight Hundred Twenty-Nine Thousand Four Hundred Dollars (\$829,400.00).

It is in the best interest of the City to waive the RFP/RFQ competitive selection requirement (per Oakland Municipal Code Section 2.04.051 B) because URS Corporation is the "Engineer of Record" for this project. Keeping the original design team will ensure continuity of the original professional liability, and will provide needed professional services to minimize delays and disruption during bidding and construction. Approval of this contract amendment will enable staff to proceed with bidding, award, and construction of these projects.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve this resolution.

Respectfully submitted,



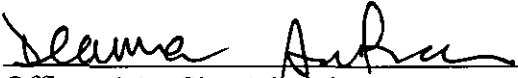
Vitaly B. Troyan, P.E., Director,
Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director
PWA, Department of Engineering and Construction

Prepared by:
Gus Amirzehni, P.E., Principal Civil Engineer
Engineering Design and Right of Way Management Division

Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design and Right of Way Management Division

**APPROVED AND FORWARDED TO THE
THE PUBLIC WORKS COMMITTEE:**



Office of the City Administrator

2012 JAN 11 AM 10:07

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION WAIVING THE REQUEST FOR PROPOSAL/REQUEST FOR QUALIFICATIONS ("RFP/RFQ") COMPETITIVE SELECTION REQUIREMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICES CONTRACT WITH URS CORPORATION TO ADD DESIGN AND ENGINEERING SERVICES FOR BRIDGE SEISMIC RETROFIT PROJECTS AND INCREASE THE CONTRACT AMOUNT BY SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED EIGHT HUNDRED TWENTY-NINE THOUSAND FOUR HUNDRED DOLLARS (\$829,400.00)

WHEREAS, URS Corporation was selected through a competitive process by the California Department of Transportation (Caltrans) to design structural upgrades and prepare construction documents for the seismic retrofit of the following Oakland bridges:

- Park Blvd Viaducts,
- Campus Drive Bridge over Tributary to Lion Creek,
- Coliseum Way Bridge over Damon Slough,
- Hegenberger Road Bridge over San Leandro Street, Union Pacific Railroad (UPRR), and Bay Area Rapid Transit (BART),
- 23rd Avenue Bridge over UPRR, and
- Leimert Blvd Bridge over Sausal Creek; and

WHEREAS, Caltrans provided funding to the City for finalizing the construction documents, obtaining environmental approvals, securing permits, bidding, awarding and providing construction management; and

WHEREAS, the City entered into a contract with URS Corporation (Council Resolution No. 77815 C.M.S.) for a not-to-exceed amount of \$229,400.00 to provide above services ; and

WHEREAS, the approval of the environmental documents by Caltrans and regulatory agencies has presented many scope changes and caused delays; and

WHEREAS, two amendments were issued previously to extend the duration of the contract without increases to the contract amount to keep the projects on track while waiting for project approvals; and

WHEREAS, it is necessary to extend the contract for additional professional services to complete the projects; and

WHEREAS, funds for the remaining design services and bidding and construction support are available in the following projects:

Project Name	Project #	Fund	Org	Account	Amount
Seismic Retrofit of Park Blvd Viaducts	C346910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$10,000
Seismic Retrofit of Campus Drive Bridge	C346710	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$25,000
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	H82910	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$88,500
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Seismic Retrofit of 23 rd Ave Bridge	C347210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83210	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$123,900
	H83220	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$16,100
Seismic Retrofit of Leimert Blvd Bridge	C347010	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$40,000*
	H83110	Department of Transportation (2116)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$159,300
	H83120	Measure B-ACTIA (2211)	Capital Improvement Projects-Streets & Structures (92242)	Architectural & Engineering Services (54411)	\$20,700
Total					\$600,000

* These funds will be appropriated into the projects when Caltrans approves the projects for construction.

; and

WHEREAS, extension of the contract for additional design services is approved by the funding agency; and

WHEREAS, Section 2.04.051 of the Oakland Municipal Code (the "OMC") requires a competitive RFP/RFQ selection process for the award of contracts for professional services; and

WHEREAS, OMC Section 2.04.051 authorizes the City Council, upon a finding that h is in the best interests of the City, to waive the requirement for an RFP/RFQ competitive selection process for professional services contracts; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator, or her designee, to negotiate and amend the professional services contract with URS Corporation to add additional design and engineering services for the Bridge Seismic Retrofit Projects and to increase the contract by Six Hundred Thousand Dollars (\$600,000.00) from Two Hundred Twenty-Nine Thousand Four Hundred Dollars (\$229,400.00) to a total contract amount not to exceed Eight Hundred Twenty-Nine Thousand Four Hundred Dollars (\$829,400.00), and waive the Request for Proposal (RFP) requirement for the new work; and be it

FURTHER RESOLVED: That it is in the best interests of the City to waive the RFP/RFQ competitive selection requirement (per OMC Section 2.04.051 B) because URS Corporation is the "Engineer of Record" for this project and will provide needed professional services to minimize delays and disruption during bidding and construction; and be it

FURTHER RESOLVED: That approval of this amendment will enable staff to retain the "Engineer of Record" to respond and resolve potential design conflicts, and will ensure continuity of the original professional liability and minimize costly delay claims during construction; and be it

FURTHER RESOLVED: That the City Administrator, or her 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 total compensation or allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the Amendment shall be approved for form and legality by the City Attorney, and a copy shall be kept on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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