

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2006 JUN 15 AM 9:23

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: June 27, 2006

RE: **Resolution Authorizing The City Administrator To Negotiate And Award A Professional Services Agreement With Gonzales Architects To Complete Construction Documents For The Peralta Hacienda Historical Park Community Activity Center Project (No. C284510) For An Amount Not To Exceed Fifty Thousand Dollars (\$50,000.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator to enter into an agreement with Gonzales Architects, a licensed architect, in an amount not to exceed fifty thousand dollars (\$50,000.00) to complete the construction contract documents for design of the Community Activity Center in Peralta Hacienda Historical Park and finding that it is in the best interests of the City for project continuity and to save time and economy to waive the competitive procurement process.

In 2000, the City contracted with PGA Design Landscape Architects to update the master plan and prepare construction contract documents for limited landscape work at the Peralta Hacienda Historical Park. Subsequently, the City Council adopted Resolution No. 78086 C.M.S., dated September 30, 2003, to amend the PGA design agreement to bring on additional consultants needed to prepare construction plans for the expanded area of the park. The amendment added an architectural consultant, Gonzales Architects, to prepare construction plans for two, small community activity buildings. The design for the community activity buildings was suspended at 65% design stage when it was determined that available project funds were sufficient only to construct other planned elements. The City, with Council authorization, applied for and, in April 2005, was awarded a State Murray-Hayden grant for the Community Activity Center. The Community Activity Center plan includes a small-scale building with a multi-purpose room connected by a courtyard to a small restroom building, patios and courtyard paving, along with a stage area for community-gatherings, and miscellaneous site improvements.

Since Gonzales Architects has already completed the 65% documents, staff recommends that Council find that it is in the best interests of the City for project continuity and significant savings in both time and economy to waive the competitive procurement process for professional services and authorize the City Administrator to enter into an agreement with Gonzales Architects to complete the construction contract documents for the project.

This project will fulfill the programming needs of the park, serve the neighborhood and provide a community center for one of the City's most significant landmarks. This project supports Council goal 2: Build Community and Foster Livable Neighborhoods.

Item:# _____
Public Works Committee
June 27, 2006

FISCAL IMPACT

Funding in the amount of \$50,000.00 for the design agreement is available from the Murray-Hayden Urban Parks and Youth Services Program, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, pursuant to City Council Resolution No. 78210 C.M.S. Funds are budgeted in the California Parks and Recreation Fund (2134); Facilities Planning & Development Organization (30234); Architecture & Engineering Services Account (54411); Peralta Hacienda Phase 3B Improvements/Prop 40 Project (C284510); Project Delivery Program (IN06).

There is no anticipated increase in maintenance costs as a result of the design agreement. Annual operations and maintenance (O&M) costs to the City once the new facilities are constructed are estimated to increase by approximately \$12,000.00. Since construction will not be completed until FY 2008-09, it is anticipated that additional O&M funds will be requested in the following two-year budget cycle. An updated fiscal impact statement will be provided in the report to award the construction contract.

Once the design is completed, the impact on the City's maintenance budget can be more accurately assessed. The estimated increase in maintenance costs for the City may be minimized by an agreement between Friends and the City. Friends and the City have successfully negotiated a maintenance agreement for the Peralta House and Friends currently helps to maintain the Park with volunteers, grant funding and fees. The City and Friends anticipate future maintenance of the Park will follow existing practice when an agreement for the Community Activity Center is negotiated.

BACKGROUND

Peralta Hacienda Historical Park is the site of the first Spanish adobe in Oakland and is perhaps the City's most significant cultural/historical landmark and, as such, is both locally and regionally significant. During the past decades, Peralta Hacienda Historical Park was created to maintain and celebrate the site's historical significance as well as to provide open space, to create a center for the community and to trace the culture and history of Oakland from the time of Native American settlement to today. This phase of park development will provide a center for the Park's programs and serve as a community center. The ethnically diverse Fruitvale neighborhood of Oakland is densely populated, with about 33% of the population under the age of 18. There are few places in the vicinity where this community can gather, and the new Community Activity Center in the park's northwest corner will complete the Coolidge Avenue edge of the park, providing a place for community-based programs and activities. The new Center will provide a place for after-school, historical, cultural and recreational activities and, thereby, more fully integrate the Park into the community.

KEY ISSUES AND IMPACTS

The landscape architectural firm PGA, selected through a competitive Request for Proposal (RFP) process, selected Gonzales Architects as a sub-consultant (also through a competitive process) to design the Community Activity Center buildings and associated elements. In 2003 and 2004, architect Irving Gonzales met with the community, Friends of Peralta Hacienda Historical Park ("Friends") and the City to develop and design the Community Activity Center buildings. Gonzales Architects provided 65% construction contract documents for the buildings. The design was suspended at 65% design stage when it was determined that available project

funds were only sufficient to construct other planned elements. If funding for completion of the building had been available at that time, Gonzales Architects would have completed 100% of the construction contract documents. Since, at the time of cessation of work on the construction documents, the Murray-Hayden grant had not yet been awarded, design of the Community Activity Center was deferred to a future phase (Phase 3B) until new funding could be found. The Murray-Hayden grant has now been received and the grant agreement executed on April 27, 2005. PGA Design completed the design work under its agreement and the phase 3A construction work is scheduled for completion by September 2006. Gonzales Architects, a licensed architect, should be directly retained to complete the work rather than PGA, who is a landscape architect. The current agreement is solely to complete the design for construction of the Community Activity Center and a direct contract with Gonzales will reduce the overall cost the work.

Completing the design developed by Gonzales Architects in 2004 will provide project continuity and result in a significant savings in both time and money as a result of not having to start the design process anew and by expediting start of construction. If Gonzales Architects, the architectural firm that has already completed 65% of the design documents, is not utilized to complete the project and another firm is hired to complete the construction documents, the City will incur a significant additional cost in design and construction. Issuing a Request For Proposal for the designer, selecting and contracting with another design consultant would take six to nine months, increase design cost by at least \$40,000.00 (based on the cost of the work that has already been completed by Gonzales Architects) and would also significantly increase the staff oversight budget. The time required to complete this process would further delay construction, which could significantly increase construction costs. Construction cost estimators are projecting a construction escalation factor of 15 – 20% for each year of delay in Oakland construction projects.

The Office of the City Administrator Contract Compliance & Employment Services Division certified that the consultant team meets the Small Local Business Enterprises (S/LBE) participation goals and program requirements, and is also EBO certified (Attachment A).

PROJECT DESCRIPTION

The Community Activity Center Project consists of design and construction of a small building with a multi-purpose room connected by a paved courtyard to a small restroom building, the surrounding plaza, and adjoining stage, and general site improvements. Peralta Hacienda Historical Park has been in the process of design and development for decades, and implementation of the Park's master plan has been phased. The Community Activity Center is the next phase of the Park's development and completes the master plan's Coolidge Street frontage. It will provide a center for the Park's programs and serve as a community center. This project will provide the City, Friends and the community with facilities to implement park programs and a place for community activities.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate jobs for Oakland residents.

Environmental: The project design will incorporate green design principles and incorporate energy-conserving design elements. City staff overseeing the work of the consultant has

expertise in those areas and will make certain that the project design incorporates those elements in accordance with City policies.

Social Equity: The project will promote social equity, by increasing access to Peralta Hacienda Historical Park's programs, activities and services. Many of the programs to be provided in the new Park Community Activity Center will serve economically disadvantaged individuals.

DISABILITY AND SENIOR CITIZEN ACCESS

All construction will conform to state and federal accessibility requirements, including the Americans with Disabilities Act Accessibility Guidelines.

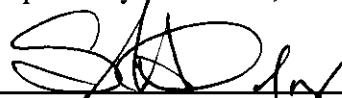
RECOMMENDATION AND RATIONALE

Staff recommends that Council find that it is in the best interests of the City for project continuity and significant savings in both time and economy to waive the competitive procurement process for professional services and approve a resolution to authorize the City Administrator to enter into an agreement with Gonzales Architects, a licensed architect, in an amount not to exceed fifty thousand dollars (\$50,000.00) to complete the construction contract documents for design of the Community Activity Center in Peralta Hacienda Historical Park.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the above-described resolution.

Respectfully submitted,



RAUL GODINEZ II, P.E.

Director, Public Works Agency

Reviewed by:

Michael Neary, P.E.

Assistant Director, Public Works Agency

Design & Construction Services Department

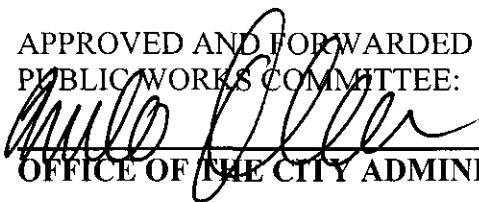
Prepared by:

Edith Landrith-Robertson

C.I.P. Coordinator

Project Delivery Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

Attachment: A- Contact Compliance Analysis



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick
From: Vivian Inman, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*
CC: Jeanne Zastera
Date: June 5, 2006
Re: Compliance Analysis: Peralta Hacienda Historical Park

Contract Compliance & Employment Services reviewed one (1) proposal in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

The L/SLBE findings are as follows:

	Company Name	Bid Amount (If Applicable)	Proposed Participation				Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)
			Total L/SLBE	LBE	SLBE	Trucking	Bid Discounts	Adjusted Bid Amount	Points		
1	Gonzales Architects	NA	20%	0	20%	NA	NA	N/A	2	0	Y

Gonzales Architects reported 20% SLBE participation.

If you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer, at 238-6261.

LBE/SLBE Participation Gonzales Architects

Project Name: Peralta Hacienda Historical Park

Project No.:		Engineers Estimate:								
Discipline	Prime & Subs	Location	Cert. Status	LBE %	SLBE %	LBE/SLBE %	TOTAL Percentage	For Tracking Only		
								Ethn.	MBE	WBE
PRIME Landscape Design Structural Engineer Mechanical Engineer	Gonzales Architects	Oakland	UB				54.00%	H		
	PGA Design, Inc.	Oakland	CB		20.00%	20.00%	20.00%	C		20.00%
	Murphy Burr, Inc.	San Francisco	UB				11.90%	NL		
	Bolden Consulting Engineers	Dublin	UB				13.60%	NL		
Project Totals				0.00%	20.00%	20.00%	100%		0%	20.00%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE 20%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUN 15 AM 9:23

OAKLAND CITY COUNCIL

RESOLUTION No: _____ C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND AWARD A PROFESSIONAL SERVICES AGREEMENT WITH GONZALES ARCHITECTS TO COMPLETE CONSTRUCTION DOCUMENTS FOR THE PERALTA HACIENDA HISTORICAL PARK COMMUNITY ACTIVITY CENTER (PROJECT NO. C284510) IN AN AMOUNT NOT-TO-EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

WHEREAS, Gonzales Architects, in 2003 and 2004, developed the design for Peralta Hacienda Historical Park Community Activity Center (Project No. C284510) in cooperation with the community, the City and Friends of Peralta Hacienda Historical Park under a project sub-consultant agreement; and

WHEREAS, Gonzales Architects completed architectural construction documents to 65% because the City did not yet have full funding for the Activity Center; and

WHEREAS, a Murray-Hayden grant has now been obtained to complete design of the Peralta Hacienda Historical Park Community Activity Center; and

WHEREAS, for reasons of time and economy the City should directly hire Gonzales Architects to complete the design documents as the City will be able to fully utilize the design work already completed by Gonzales Architects and maintain project continuity; and

WHEREAS, funds are budgeted in the California Parks and Recreation Fund (2134); Facilities Planning & Development Organization (30234); Architecture & Engineering Services Account (54411); Peralta Hacienda Phase 3B Improvements/Prop 40 Project (C284510); and

WHEREAS, the services called for are of a professional and temporary nature and 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 hereby finds and determines pursuant to Oakland Municipal Code section 2.04.051.B that it is in the City's best interests to waive the City's competitive request for proposal process and authorize the City Administrator to negotiate a professional services agreement with Gonzales Architect for completion of design of the Peralta Hacienda Historical Park Community Activity Center (Project No. C284510) in an amount not exceed Fifty Thousand dollars (\$50,000.00); and, be it

FURTHER RESOLVED: That the agreement shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID,
CHANG, AND PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California