

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: July 12, 2005

2005 JUN 28 PM 3: 15

RE: RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH THE KPA GROUP FOR ADDITIONAL AS-NEEDED ARCHITECTURAL SERVICES FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000)

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### SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to amend the existing agreement with The KPA Group (Oakland) to provide additional architectural services on an as-needed basis for an additional amount not to exceed \$100,000 for a total contract amount not to exceed \$350,000.

The original as-needed professional services agreement from March 2004 with The KPA Group was for an amount not to exceed \$250,000. Tasks for various projects have fully utilized the initial contract amount. Additional architectural services are required for the evaluation, design and construction support to complete the ongoing Police Administration Building Retrofit project and the Live Oak Pool Deck Repair project. The KPA Group can provide the additional design and construction support services in the most efficient and cost effective manner because of their familiarity and current involvement in these ongoing projects.

The projects are consistent with the Mayoral and Council objective to "Maintain and Enhance Oakland's Physical Assets." The Police Administration Building is located in Council District 3 and the Live Oak Pool is located in Council District 2.

### FISCAL IMPACT

Amendment No. 1 will allow the consultant to perform design work and provide construction support services on an as-needed basis for the Police Administration Building Retrofit project, the Live Oak Pool Deck Repair project and other ongoing projects. The contract amendment is in an amount not to exceed \$100,000. The additional services will be funded through the various individual projects. Funds for the Police Administration Building Retrofit project are available from the FEMA Hazard Mitigation Grant (Fund 2146, Project No. C58691, Organization No. 92270, Account No. 54411). Funds for the Live Oak Pool Deck Repair project are available from the Proposition 40 Per Capita Grant Fund (Fund 2134, Project No. G251110, Organization No. 92270, Account 54411). Funds for other ongoing project will be identified prior to the performance of the architectural services.

### BACKGROUND

On March 16, 2004, City Council approved Resolution No. 78393 C.M.S. awarding an as-needed architectural services contract to The KPA Group for an amount not to exceed \$250,000.

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Previous task orders and assignments for The KPA Group have included the following:

- Temescal Pool Filtration Project – Preparation of construction documents and providing construction support.
- Cryer Site Project – Evaluation of existing building condition at 1899 Dennison Street.
- Live Oak Pool Deck Repair Project – Preparation of construction documents and providing construction support.
- Woodminster Restroom Renovation Project – Providing construction support.
- Police Administration Building Retrofit Project – Providing supplemental design services and construction support.

Of the initial contract amount of \$249,549 that has been expended thus far, there was L/SLBE participation of \$213,449 (86%). The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown on Attachment A. As the specific scope of work of the additional architectural services are developed, the consultant will maximize the usage of small local sub-consultants to the extent feasible.

### **KEY ISSUES AND IMPACTS**

In order to complete the Police Administration Building Retrofit project and the Live Oak Pool Deck Repair project, the following additional architectural services from The KPA Group are required:

- Police Administration Building Retrofit: Soil testing, dewatering inspection services and additional construction support during construction (\$60,000).
- Live Oak Pool: Pool leakage and drainage investigation, supplemental design work and construction support (\$25,000).

In addition, Amendment No. 1 will provide a contingency of \$15,000 for other potential services, including other ongoing City projects. The KPA Group can provide the additional design and construction support services in the most efficient and cost effective manner because of their familiarity and current involvement in these ongoing projects. Use of another consultant to complete the ongoing design services is not practical due to the existing design responsibilities and liabilities.

### **SUSTAINABLE OPPORTUNITIES**

Economic: The projects will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those who work on the projects.

Environmental: Environmental factors and opportunities will be considered and incorporated to the extent feasible. Consultants will be required to consider the use of recycled materials in the

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products specified and integrate other environmental opportunities, waste reduction and energy conservation.

Social Equity: The Live Oak Pool project will enhance recreational activities to the neighborhood.

**DISABILITY AND SENIOR CITIZEN ACCESS**

The consultant will be required to design the City facilities in full compliance with the Americans with Disabilities Act (ADA) and to provide improvements to the access for seniors and persons with disabilities.


**RECOMMENDATION AND RATIONALE**

It is recommended that the Amendment No. 1 to the existing agreement with The KPA Group for additional as-needed architectural services be approved so that the ongoing projects can be completed. Amendment No. 1 is for an additional amount not to exceed \$100,000 for a total contract amount not to exceed \$350,000.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve this resolution.

Respectfully submitted,

  
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**Raul Godinez, II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Michael Neary, P.E.  
Assistant Director  
Design and Construction Services Department

Prepared by:  
Jadia Wu, AIA  
CIP Coordinator  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE

  
\_\_\_\_\_  
**OFFICE OF THE CITY ADMINISTRATOR**

**OFFICE OF THE CITY ADMINISTRATOR**  
**Contract Compliance & Employment Services Division**

# Memo

**TO:** Gwen McCormick  
**THROUGH:** Deborah Barnes, CC&ES Manager *DBarnes*  
**FROM:** Vivian Inman, Contract Compliance Officer  
**CC:** Jadia Wu  
**DATE:** June 7, 2005

**RE:** As Needed Architectural Services - The KPA Group

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Contract Compliance & Employment Service received a request from the Public Works Agency to perform an updated compliance evaluation on the above referenced contract amendment. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

The local/small local compliance findings are as follows (in alphabetical order):

Company Name	Bid Amount (if applicable)	Proposed Participation				Preferences		Banked Credits Eligibility	EBO Compliant ? Y/N
		Total	LBE	SLBE	Trucking	Preference Points	Adjusted Bid Amount		
The KPA Group	NA	<b>86.00%</b>	0.00%	86.00%	NA	5	NA	2	N*

As noted above The KPA Group exceeded the City's 20% L/SLBE requirement.

\*EBO compliance is currently under review. Company is preparing supporting documentation for submittal.

Should you have any questions please feel free to contact me at 238-6261.

**LBE/SLBE Participation  
The KPA Group**

Project Name: As Needed Architectural Project No.:										
Discipline	PRIME AND SUBS	LOCATION	CERT. STATUS	LBE	SLBE	TOTAL L/SLBE DOLLARS	TOTAL DOLLARS	For Tracking Purposes Only		
								Ethnic	MBE	WBE
PRIME	The KPA Group	Oakland	CB		\$207,699	\$207,699	\$207,699	A	\$207,699	
	SJ Engineers	Oakland	CB		\$975	\$975	\$975	A	\$975	
	F. W. Associates	Oakland	CB		\$975	\$975	\$975	C		
	Aquatic Design Group	Unknown	UB				\$25,900	NL		
	Ace Architects	Oakland	CB		\$3,800	\$3,800	\$3,800	C		
	Raymond Brooks Engineering	Oakland	UB				\$4,200	AA		
	Silverman & Light	Unknown	UB				\$6,000	NL		
	<b>Project Totals</b>				0%	\$213,449	\$213,449	\$249,549		\$208,674
					86%	86%	100%		84%	
<b>PROFESSIONAL SERVICE GOALS</b>				<b>LBE</b>	<b>SLBE</b>	<b>LBE/SLBE</b>				

**Goals:**  
The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount.

Legend:	
ALL LBE All certified Local and Small Local Businesses	CS Certified Business
LBE Local Business Enterprise	UB Uncertified Business
SLBE Small Local Business Enterprise	
LTRU Local Trucking Businesses	AA African American
	H Hispanic American
	A Asian American
MBE Minority Business Enterprise (for tracking only)	NA Native American
WBE Women Business Enterprise (for tracking only)	C Caucasian
	NL Not Listed

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

C. M. S. FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

2005 JUN 28 PM 3:15

**RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH THE KPA GROUP FOR ADDITIONAL AS-NEEDED ARCHITECTURAL SERVICES FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000.00)**

**WHEREAS**, on March 16, 2004, Council Resolution No. 78393 C.M.S. awarded an as-needed architectural services contract to The KPA Group for a not to exceed amount of \$250,000; and

**WHEREAS**, tasks for various projects have fully utilized the initial contract amount; and

**WHEREAS**, additional as-needed professional services are required for the evaluation, design, and construction support of the Police Administration Building Retrofit project, the Live Oak Pool Deck Repairs project, and other ongoing projects; and

**WHEREAS**, The KPA Group can provide the additional design and construction support services in the most efficient and cost effective manner because of their familiarity and current involvement in these ongoing projects; and

**WHEREAS**, funds for the Police Administration Building Retrofit project are available from the FEMA Hazard Mitigation Grant (Fund 2146, Project No. C58691; Organization No. 92270, Account No. 54411); funds for the Live Oak Pool Deck Repair project are available from the Proposition 40 Per Capita Grant (Fund 2134, Project No. G251110, Organization No. 92270, Account No. 54411); funds for other ongoing projects will be identified prior to the performance of the architectural services; 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

**WHEREAS**, the City Council finds that services under contract will be temporary; and

**WHEREAS**, Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, the City Council finds that the services are exempt from competitive bidding pursuant to Section 2.04.050 I (1) of the Oakland Municipal Code; now, therefore, be it

**RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into Amendment No. 1 to the Agreement with The KPA Group to provide additional architectural design and construction support services for an amount not to exceed \$100,000.00, for a total contract amount not to exceed \$350,000.00; 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 the total dollar amount of the agreement, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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