

CITY OF OAKLAND FILED
AGENDA REPORT 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: 19

RE: **RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD, INC., TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE LAKE MERRITT MASTER PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000), BRINGING THE TOTAL CONTRACT AMOUNT TO ONE MILLION NINE HUNDRED EIGHTY FOUR THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$1,984,885)**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to amend the professional services agreement with Wallace Roberts & Todd, Inc. (WRT), to provide additional design services for the Lake Merritt Master Plan project for an amount not to exceed \$230,000, bringing the total contract amount to \$1,984,885. Additional landscape architectural, architectural, engineering, and other design services by WRT are required in order to complete the Municipal Boathouse restoration project, the Lakeside Drive Park project, and the Lakeshore Avenue/El Embarcadero Park project. These projects are part of the Lake Merritt Master Plan and are funded under Measure DD, the Oakland Trust for Clean Water and Safe Parks.

The additional design work is required as a result of unforeseen structural deficiencies discovered during investigative work in the concrete dock area and in the bulkhead/retaining wall area of the Municipal Boathouse. Also, other design services are necessary for the relocation of an exterior restroom building, the construction of an ADA compliant dock and ramp structure, and the addition of park signage.

The projects are consistent with the Mayoral and Council objective to "Build Community and Foster Livable Neighborhoods" by providing for "clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees." The project area of Lake Merritt is located in Council Districts 2 and 3.

FISCAL IMPACT

Amendment No. 3 to the professional services agreement with WRT will be for an amount not to exceed \$230,000. The various projects being designed by WRT are part of the Lake Merritt Master Plan and are funded by Measure DD, the Oakland Trust for Clean Water and Safe Parks. Specific funding for the work has been appropriated as part of the first series bond allocation of Measure DD (Fund 5320) under the Municipal Boathouse project (C241910), the Lake Merritt System-wide Improvements project (C242110), the Lake Merritt Retaining Wall project

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(C242210), the Lake Merritt Pathways project (C242310), and the El Embarcadero Reconfiguration project (C242410).

In accordance to City Policy, Contract Compliance and Public Art assessment fees are assessed and allocated from the respective Measure DD funded projects.

BACKGROUND

Upon the completion of a Request for Proposal process and pursuant to Resolution No. 76426 C.M.S., a professional services agreement was issued to Wallace Roberts & Todd, Inc. (WRT), to develop the Lake Merritt Master Plan in May 2001 for an amount not to exceed \$504,885. Amendment No. 1 to the agreement was issued on March 31, 2003, to extend the time of performance of the work. As part of the original contract, the consultant was directed to provide estimated costs for optional design work and construction documents for projects outlined in the Master Plan. The City's stated intent was to utilize the services of the consultant to provide complete design services for selected projects when funding became available.

In November 2002, Oakland citizens passed Measure DD, the Oakland Trust for Clean Water and Safe Parks. This bond measure provides funding for many of the projects outlined in the Lake Merritt Master Plan. The City Council approved Resolution No. 78458 C.M.S. in April 2004 to authorize the execution of Amendment No. 2 to the agreement with WRT. Amendment No. 2 exercised the City's option to utilize WRT to provide complete design services for selected projects identified in the Lake Merritt Master Plan for an additional amount not to exceed \$1,250,000. WRT proceeded to provide design services for the Municipal Boathouse restoration project, the Lakeside Drive Park project, and the Lakeshore Avenue/El Embarcadero Park project.

KEY ISSUES AND IMPACTS

Additional design services by WRT are required for the ongoing Lake Merritt projects. The additional design work is required as a result of unforeseen structural deficiencies discovered during investigative work in the concrete dock area and in the bulkhead/retaining wall area of the Municipal Boathouse. Also, other design services are necessary for the relocation of an exterior restroom building, the construction of an ADA compliant dock and ramp structure, and the addition of park signage.

Amendment No. 3 is for an amount not to exceed \$230,000 and is estimated to be allocated for the following design services:

- Concrete Dock Reconstruction at the Municipal Boathouse (\$32,000).
- Bulkhead/Retaining Reconstruction at the Municipal Boathouse (\$78,000).
- Relocation and Construction of an Exterior Restroom Building (\$37,000).

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- Construction of an ADA Compliant Dock and Ramp Structure (\$53,000).
- Addition of Park Signage (\$30,000).

WRT can provide the additional design services efficiently and cost effectively by incorporating the work as part of the current design documents of the ongoing projects at Lake Merritt. All design work, including the additional design services under Amendment No. 3, should be completed by October 2005. No further amendments to the WRT contract are anticipated to be required.

WRT's current Local/Small Local Business Enterprise participation is 68%. With the implementation of Amendment No. 3, it is anticipated that the total proposed Local/Small Local Business participation will be 69%. The design team for the additional work includes the local firms of Murakami/Nelson, Zeiger Engineers, Degenkolb Engineers, Treadwell & Rollo, Sandis Humber Jones, Mack 5, Moffat & Nichol Engineers, and Dan Quan Design. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown on *Attachment A*.

SUSTAINABLE OPPORTUNITIES

Economic: The Lake Merritt projects will enhance the physical appearance of the Lake, which will attract more visitors to the neighborhood, providing potential for further economic development in the area. These projects will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those firms who work on the projects.

Environmental: The Lake Merritt projects will improve pedestrian and bicycle access and circulation around the Lake, reducing the dependence upon motor vehicles. Renovation of the Municipal Boathouse will utilize sustainable materials and a "green building" design to achieve a Silver LEED certification.

Social Equity: The improved pedestrian and bicycle access will increase recreational opportunities and improve services to the community through enhanced access.

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). The new park pathways will be part of a smooth and contiguous path around the Lake, greatly improving access for seniors and persons with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the resolution authorizing the City Administrator, or her designee, to amend the professional services agreement with Wallace Roberts & Todd, Inc. (WRT), to provide additional design services for the Lake Merritt Master Plan project for an amount not to exceed \$230,000, bringing the total contract amount to \$1,984,885 be approved. WRT can provide the additional design services efficiently and cost effectively by incorporating the work as part of the current design documents of the ongoing projects at Lake Merritt.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve this resolution.

Respectfully submitted,



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

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

Prepared by:
Danny Lau, P.E.
Supervising Civil Engineer
Project Delivery Division

APPROVED AND FORWARDED
TO THE LIFE ENRICHMENT 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 *Deborah Barnes*
FROM: Vivian Inman, Contract Compliance Officer
CC: Danny Lau
DATE: June 17, 2005

RE: Lake Merritt Master Plan - Amendment 3

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		
Wallace, Roberts & Todd	NA	69.03%	15.02%	54.01%	NA	5	NA	1	Y

As noted above Wallace, Roberts & Todd reported 69.03% L/SLBE participation. Wallace, Roberts & Todd are EBO certified.

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

LBE/SLBE Participation Wallace, Roberts & Todd

Project Name: Lake Merritt Master Plan

Project No.:										
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	Total Dollars	For Tracking Only		
								Ethn.	MBE	WBE
PRIME	Wallace Roberts & Todd	San Francisco	UB				\$537,892			
Architecture	Murakami Nelson	Oakland	CB		\$519,622	\$519,622	\$519,622	A	\$519,622	
Landscape	Adrienne Wong	Oakland	CB		\$217,944	\$217,944	\$217,944	A		\$217,944
Graphics	Daniel Quan Design	Oakland	CB		\$94,174	\$94,174	\$94,174	A	\$94,174	
Electrical	Zeiger	Oakland	CB		\$51,391	\$51,391	\$51,391	C		
Structural	Degenkolb	Oakland	CB		\$90,500	\$90,500	\$90,500	C		
Historian	Prentice	Unknown	UB				\$13,596	NL		
Traffic	DKS Associates	Oakland	CB	\$97,481		\$97,481	\$97,481	C		
Civil & Survey	Sandis Humber Jones	Oakland	CB	\$102,172		\$102,172	\$102,172	C		
Mar. Eng.	Mofatt Nichols	Oakland	CB	\$57,436		\$57,436	\$57,436	A	\$57,436	
Cost. Est	Mack 5	Oakland	CB		\$46,196	\$46,196	\$46,196	C		
Mechanical	McCracken & Woodman	Oakland	CB		\$52,135	\$52,135	\$52,135	NL		
Food	Marshall	Unknown	UB				\$8,330	NL		
Hist. Arch	Pres Arch.	Unknown	UB				\$15,160	NL		
Public Outreach	Norman Hooks	Oakland	UB	\$20,520		\$20,520	\$20,520	AA	\$20,520	
Environmental	Richard Bailey	Novato	UB				\$13,716	NL		
	Monk Consulting	Unknown	UB				\$26,020	NL		
	Treadwell & Rollo	Oakland	CB	\$20,600		\$20,600	\$20,600	C		
Project Totals				\$298,209	\$1,071,962	\$1,370,171	\$1,984,885		\$691,752	\$73,485
				15.02%	54.01%	69.03%	100.00%		34.85%	15.00%
Requirements:				LBE	SLBE	L/SLBE		Ethnicity		
The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.						20%		AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American NL = Not Listed		
Legend	LBE = Local Business Enterprise			UB = Uncertified Business						
	SLBE = Small Local Business Enterprise			CB = Certified Business						
	Total LBE/SLBE = All Certified Local and Small Local Business			MBE = Minority Business Enterprise						
	NPLBE = NonProfit Local Business Enterprise			WBE = Women Business Enterprise						
	NPSLBE = NonProfit Small Local Business Enterprise									

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C. M. S.

TELEPHONE
OFFICE OF THE CLERK
CITY OF OAKLAND

INTRODUCED BY COUNCILMEMBER _____

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RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD, INC., TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE LAKE MERRITT MASTER PLAN PROJECT FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000), BRINGING THE TOTAL CONTRACT AMOUNT TO ONE MILLION NINE HUNDRED EIGHTY FOUR THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$1,984,885)

WHEREAS, on May 8, 2001, City Council approved Resolution No. 76426 C.M.S. awarding a professional services contract to Wallace Roberts & Todd, Inc., to provide landscape architectural and related design services for the development of the Lake Merritt Master Plan for an amount not to exceed \$504,885; and

WHEREAS, on March 31, 2003, Amendment No. 1 to the professional services contract with Wallace Roberts & Todd, Inc., was issued to extend the time of performance; and

WHEREAS, on April 6, 2004, City Council approved Resolution No. 78458 C.M.S. to execute Amendment No. 2 of the professional services contract with Wallace Roberts & Todd, Inc., for complete design services on projects outlined in the Lake Merritt Master Plan for an amount not to exceed \$1,250,000; and

WHEREAS, additional design work is now required as the result of unforeseen structural deficiencies discovered during investigate work in the concrete dock area and in the bulkhead/retaining wall area of the Municipal Boathouse; and

WHEREAS, additional design work is also necessary to relocate an exterior restroom, to construct a ADA compliant dock and ramp structure, and to add park signage to the projects; and

WHEREAS, Wallace Roberts & Todd, Inc., can provide the additional design services efficiently and cost effectively by incorporating the work as part of the current design documents of the ongoing projects at Lake Merritt; and

WHEREAS, funding for the work to be performed by Wallace Roberts & Todd, Inc., is budgeted and available within the Measure DD Fund (#5320) under the Municipal Boathouse project (C241910), the Lake Merritt System-wide Improvements project (C242110), the Lake Merritt Retaining Wall project (C242210), the Lake Merritt Pathways project (C242310) and the El Embarcadero Reconfiguration project (C242410); and

WHEREAS, the City Council finds that the professional design services are exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

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

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

WHEREAS, the City Council finds and determines that the performance of this contract 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 Administrator, or her designee, is hereby authorized to amend the existing agreement with Wallace Roberts & Todd, Inc., to provide additional design services for the Lake Merritt Master Plan for an amount not to exceed \$230,000, bringing the total contract amount to \$1,954,885; 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