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OFFICE OF THE CITY CLERK
OAKLAND

2014 JAN 16 AM 9:48

AGENDA REPORT

TO: DEANNA J SANTANA
CITY ADMINISTRATOR

FROM: Donna Hom
Budget Director

SUBJECT: Engineering Services for
Assessment / Special Districts

DATE: January 8, 2014

City Administrator
Approval

Date

1/8/14

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff requests that the City Council authorize the City Administrator to negotiate and execute a contract with Francisco & Associates, Inc for a two-year period (January 1, 2014 through December 31, 2015) for mandated district engineering services in an amount not-to-exceed \$153,000 with an option to extend the contract for an additional two-years should the recommended contractor demonstrate acceptable performance in the delivery of the contracted services

Staff also recommends the adoption of a resolution authorizing the City Administrator to

- 1 Designate Francisco & Associates, Inc as the Engineer of Work for the Landscaping and Lighting Assessment District (LLAD), the Emergency Medical Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q - approved in 1994 as Measure O and extended in 2004 as Measure Q), the Violence Prevention and Public Safety Act of 2004 (Measure Y) and the Rockridge Library Community Facilities District for period of January 1, 2014 through December 31, 2015, and
- 2 Authorizes the City Administrator to direct Francisco & Associates, Inc. to file an annual report for the Landscaping and Lighting Assessment District with the City Clerk in accordance with the provisions of the Landscaping and Lighting Act of 1972, specifically Section 22622 of the California Streets and Highways Code

EXECUTIVE SUMMARY

In October 2013 staff released a Request for Proposal (RFP) seeking assistance from an engineering firm to provide various engineering services in connection with the following assessment / special districts Lighting Assessment District (LLAD), the Wildfire Prevention

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Assessment District, the Emergency Medical Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q - approved in 1994 as Measure O and extended in 2004 as Measure Q), and, the Violence Prevention and Public Safety Act of 2004 (Measure Y) and the Rockridge Library Community Facilities District The scope of services for the engineering firm includes, but is not limited to serve as the City's Assessment Engineer, prepare the mandated engineer's report, obtain / review / update the county secured property tax roll, prepare a parcel database, calculate taxing district amounts, and serve as the City's Tax Engineer

The RFP process was completed in December 2013 and staff recommends that Council authorize the City Administrator to negotiate and execute a two-year contract with Francisco & Associates, Inc who was selected as the most qualified bid and scored highest in the review of qualifications process

OUTCOME

Approval of this resolution will result in a contract with Francisco & Associates, Inc for various engineering services in connection with the City's various assessment / special districts as detailed in this report

BACKGROUND/LEGISLATIVE HISTORY

The voters of the City of Oakland approved the Lighting Assessment District (LLAD), the Emergency Medical Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 2004 (Measure Q - approved in 1994 as Measure O and extended in 2004 as Measure Q), the Violence Prevention and Public Safety Act of 2004 (Measure Y) and the Rockridge Library Community Facilities District

Each special district utilizes direct benefit assessments and provides a funding source to the City of Oakland for specific activities as follows

Landscaping and Lighting Assessment District

The Landscaping and Lighting Assessment District was initiated in 1989 to provide continued maintenance and improvement of the City's street lighting (including energy costs), grounds maintenance of City open space and parklands, and facility maintenance of park structures The District is comprised of some 103,000 parcels Its boundaries are identical with the City of Oakland boundaries with the exception of properties under the jurisdiction of the Port of Oakland having been previously exempted The District is subdivided into two residential districts and three non-residential districts In total, there are estimated to be almost 146,000 single-family equivalent benefit assessment units within the district with almost 27,000 units attributed to non-residential parcels There have been no rate increases since fiscal year 1993-94 After netting out

collection costs charged by the County of Alameda and non-collectibles, the district generates approximately \$19 million through its assessments

Emergency Medical Service Retention Act of 1997 (Measure M)

In June 1997, the electorate of Oakland approved a special tax, the "Emergency Medical Services Retention Act of 1997" (Measure M) That Act imposed a parcel tax for the purpose of raising revenue necessary to retain and enhance emergency dispatch and medical services in the City of Oakland, and replaced funding from a previous assessment imposed by the City that was invalidated by Proposition 218 Annual revenues are approximately \$1 9 million

Paramedic Services Act of 1997 (Measure N)

In June 1997, the electorate of Oakland approved a special tax, the "Paramedic Services Act of 1997" (Measure N) That Act imposed a parcel tax for the purpose of raising revenue necessary to increase, enhance and support paramedic emergency services in the City of Oakland The Measure N legislation authorized the City Council to increase the tax rates by a cost-of-living factor after the third year of its imposition and continuing each fiscal year thereafter In June 2000, the City Council adopted legislation authorizing an increase in the tax Annual revenues are approximately \$1 5 million

Library Services Retention and Enhancement Act (Measure Q)

Voters approved the Library Services Retention Enhancement Act in November of 1994 (former Measure O) and its extension (Measure Q) in March 2004 The Act imposed a parcel tax on residential and non-residential parcels for the purpose of raising revenue necessary to retain and enhance library services The Act covers approximately 103,000 parcels within the City Varying tax rates exist for single-family residential parcels, multiple unit residential parcels, and non-residential parcels To calculate tax levies, a single-family residential unit equivalent is computed for the multiple unit and non-residential parcels, based on frontage and total area Hotels are taxed based on whether they meet "residential" or "transient" occupancy criteria Exemptions exist for certain low-income homeowner and low-income residential hotels Provisions exist in the Act that allows the City Council to increase the tax after the third year of imposition of this tax, based on certain cost-of-living indicators After netting out collection costs charged by the County of Alameda and non-collectibles, annual revenues are \$14 milhon

Violence Prevention and Public Safety Act - Measure Y

In November 2004, the City of Oakland voters approved the Violence Prevention and Public Safety Act of 2004 The measure imposes a parking surcharge on commercial parking lots and a parcel tax for the purpose of raising revenue necessary to fund such activities as community and neighborhood policing, violence prevention services with an emphasis on youth, and fire services Annual revenues generated are approximately \$15 million

Rockridge Library Community Facilities District

The Rockridge Library Community Facilities District was approved by the voters in the district in 1992. The assessment applies to all taxable real property within the District (approximately 3,880 parcels), and imposes a levy of \$25.00 per taxable living unit. The proceeds from this special tax provide funding for a portion of construction and outfitting of the Rockridge library and to help pay for the cost of its operation. The assessment generates approximately \$140,000 annually.

RFP Review Process

In October 2013, the City released a RFP for various engineering services in connection with the various assessment / special districts. Invitations to participate in the process were sent to three (3) firms who had previously submitted proposals. The City also advertised in local papers and made the RFP document available on the City's website. A non-mandatory Pre-Proposal meeting was held on October 24, 2013 and eight (8) people attended representing seven (7) different firms. The submission deadline was set for November 14, 2013.

At the specified closing time on November 14, 2013, a total of four (4) proposals were received. To date, no other proposals have been received. Three (3) of the proposals received were found to be qualified as they met the minimum requirements outlined in the RFP and cover Letter (e.g. relevant experience performing similar functions, description of project approach, etc.). After a review of the three (3) qualified proposals, the review team identified a large variance between the scoring of the top two (2) proposals and the third proposal. As a result, only the top two firms were invited to participate in the oral interviews. The review team, which also served as the interview panel, consisted of one or more representatives of the Public Works Agency, Library, Fire Department, and the City Administrator's Office. Oral Interviews were conducted on November 26, 2013.

Based on the review process, the vendors were scored as indicated below. A detailed Qualifications Matrix is provided as Attachment A for further information.

Ranking	Proposal Score	Interview Score	Overall	Firm	Sub-contractor	Bid Amount (Two-Year)
1	84.19%	84.80%	84.49%	Francisco & Associates, Inc	Quality Staffing, Inc / JBC Business Cards and Construction Support	\$123,000 (does not include Wildfire Prevention CFD)

Ranking	Proposal Score	Interview Score	Overall	Firm	Sub-contractor	Bid Amount (Two-Year)
2	79.81%	75.80%	77.85%	Harris & Associates	A Squared Ventures, Inc	\$ 156,640 (\$130,690 less the Wildfire Prevention CFD)
3	57.14%	n/a	n/a	BKF Engineers (not invited for interview)	Economic & Planning Systems, Inc	n/a

The City Administrator's Contract Compliance Division reviewed each proposal for compliance with the City's required minimum rate of participation for Local and Small Local Business Enterprises. See Attachment B for more information.

Wildfire Prevention Assessment District

At the time of the release of the RFP, the status of the renewal of the Wildfire Prevention Assessment District was unknown and thus was included as an assessment district in the RFP proposed scope of work. In November 2013, the renewal of the Wildfire Prevention Assessment District was defeated. As part of the close-out of the Wildfire Prevention Assessment District, staff has identified the potential need to send out informational mailings on the status of this district and other relevant information at an estimated cost of an amount not-to-exceed \$30,000.

ANALYSIS

As required by the legislation approving each district, a professional engineer must be retained to delineate the parcels included within the boundaries of the districts to determine the land uses and assessment rates for each parcel in the districts, to develop the Assessment Roll annually for the County Assessor, and to assist with any informational requests required by the City or any citizen or property owner relating to the districts. For the LLAD, the requirement of a District Engineer of Work is further mandated by the California Streets and Highways Code, Sections 22500, et seq., known as the Landscaping and Lighting Act of 1972, which enabled the creation of the City of Oakland Landscaping and Lighting Assessment District.

Upon completion of an Engineer's Report for the districts, the City Council annually conducts a public hearing to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council can adopt a resolution confirming the levy of assessments as proposed in the Engineer's Report, or as modified. Following the adoption of the resolution,

the final Assessment roll will be prepared and filed with the Alameda County Assessor's Office to be included in the FY 2013-14 tax roll and FY 2014-15 tax roll respectively

The basis for the benefit assessment is the allocation of total program benefits and costs, spread proportionately to residential and non-residential properties throughout each zone for the Landscaping and Lighting Assessment District (LLAD) and throughout the respective districts for the Emergency Medical Services Retention Act of 1997, the Paramedic Services Act of 1997, Library Services Retention and Enhancement Act, and the Rockridge Library Community Facilities District

PUBLIC OUTREACH/INTEREST

The RFP was advertised in local newspapers and made available on the City's iSupplier system to encourage participation by qualified local firms

COORDINATION

The RFP process was conducted in coordination with the Contract Compliance Division to ensure compliance with the City's contracting requirements This report has been reviewed by the City Attorney's Office and the Budget Office

COST SUMMARY/IMPLICATIONS

Approval of this resolution authorizes the City Administrator to award and execute a contract in the amount of \$153,000 for a two-year period for various assessment / special district engineering services In total, the special district assessments and tax levies generate approximately over \$50 million in revenue annually

The two-year funding for this contract resides within each respective district's annual budget as follows

\$26,649	Landscaping and Lighting Assessment District (Fund 2310)
\$18,451	Measure M - Emergency Medical Services Retention Act (Fund 2412)
\$18,451	Measure N - Paramedic Services Act (Fund 2250)
\$26,649	Measure Q - Library Services Retention and Enhancement Act (Fund 2240)
\$30,000	Wildfire Prevention Assessment District (Fund 2321)
\$26,649	Measure Y - Violence Prevention and Public Safety Act (Fund 2251)
<u>\$6,151</u>	Rockridge Library Community Facilities District (Fund 5130)
\$153,000	Total proposed contract with Francisco & Associates, Inc for engineering services for the contract term January 1, 2014 through December 31, 2015

SUSTAINABLE OPPORTUNITIES

Economic None

Environmental None

Social Equity None

For questions regarding this report, please contact Michael K Kek, Assistant to the City Administrator, at (510) 238-4906

Respectfully submitted,



Donna Hom
Budget Director / Deputy City Administrator
City Administrator

Prepared by
Michael K Kek
Assistant to the City Administrator
City Administrator

Attachments:

- A – Detailed Evaluation Matrix
- B – Memo on review of proposals of Local and Small Local Business Enterprise (L/SLBE) participation requirement
- C – Resolution

ATTACHMENT A

Detailed Evaluation Matrix

Ranking	Firm	Proposal Score	Interview Score	Overall	Headquarters Location	Sub-contractor	Bid Amount (Two-Year)
1	Francisco & Associates, Inc	84 19%	84 80%	84 49%	San Ramon, CA	Quality Staffing, Inc / JBC Business Cards and Construction Support	\$123,000 (does not include Wildfire Prevention CFD)
2	Harris & Associates	79 81%	75 80%	77 85%	Concord, CA with office in the City of Oakland	A Squared Ventures, Inc	\$ 156,640 (\$130,690 less the Wildfire Prevention CFD)
3	BKF Engineers (not invited for interview)	57 14%	n/a	n/a	Redwood City , CA with office in the City of Oakland	Economic & Planning Systems, Inc	n/a

ATTACHMENT B



INTER OFFICE MEMORANDUM

TO: Michael Kek

FROM: Deborah Barnes, *Deborah Barnes*
 Manager, Contracts and Compliance

SUBJECT: Compliance Analysis
 RFP to Provide Engineering Services for Assessment Districts for the City of Oakland

DATE: January 6, 2014 (Revised)

The City Administrator's Office, Contracts and Compliance Unit conducted a compliance review of four (4) proposals in response to the above referenced project. An availability analysis was performed for this project. Based on the results of the availability analysis the Local and Small Local Business participation requirement on the project was waived. Below is the outcome for compliance with the Equal Benefits Ordinance (EBO)

Responsive to EBO and L/SLBE Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name SLBE/VSLBE/LPG Certified Firms	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Total Credited participation	L/SLBE Participation Preference Points	Years in Oakland Preference Points	Oakland Workforce Preference points	
EKF Engineers (LBE)	NA	0%	80%	0%	0%	0%	5 points	1 point	4 pts	Y
Harris & Associates	NA	100%	95%	5%	0%	100%	5 points	1.5 points	0 pts	Y

Comments: As noted above, all firms exceeded the minimum 50% L/SLBE participation requirement. Both firms are EBO compliant. Harris & Associates did not receive preference points for Oakland workforce because they did not have enough Oakland residents to earn the credit.

Responsive to EBO and L/SLBE Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name Non Certified Firms	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Total Credited participation	L/SLBE Participation Preference Points	Years in Oakland Preference Points	Oakland Workforce Preference points	
Francisco & Associates, Inc	NA	50%	0%	36%	14%	64%	3 points	NA	NA	Y

Comments: As noted above, all firms exceeded the minimum 50% L/SLBE participation requirement.

*Francisco & Associates, Inc, proposed VSLBE/LPG participation value was 14%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value of Francisco & Associates, Inc, participation is 28%.

Non-Responsive to EBO and L/SLBE Policies		Proposed Participation					Earned Credits and Discounts		Oakland Workforce Preference Points	EBO Compliant? Y/N
Company Name Non-Certified Firms	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Total Credited participation	L/SLBE Participation Preference Points	Years in Oakland Preference Points		
NBS	NA	0%	0%	0%	0%	0%	0 points	NA	NA	N

Comments: As noted above, NBS failed to meet the required 50% L/SLBE participation requirements and NBS failed to submit the required Schedule E. Therefore, the firm is deemed non-responsive at this stage of the process. As this is a negotiated process and not a low bid the firm may revise its team and meet the L/SLBE participation requirement. The firm is not EBO compliant. They will have to come into compliance prior to contract execution.

Should you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.



City of Oakland

Equal Benefits Ordinance
Certificate of Compliance

is hereby awarded to

Francisco & Associates

For satisfying all requirements necessary for compliance with the Equal Benefits Ordinance

Shelley Darenburg
Shelley Darenburg
Senior Contract Compliance Officer

4/15/08
Date

ATTACHMENT C

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

2014 JAN 16 AM 9:49

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A TWO-YEAR CONTRACT to FRANCISCO & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$153,000 TO PERFORM ENGINEERING SERVICES FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (LLAD), THE EMERGENCY SERVICES RETENTION ACT OF 1997 (MEASURE M), THE PARAMEDIC SERVICES ACT OF 1997 (MEASURE N), THE LIBRARY SERVICES RETENTION AND ENHANCEMENT ACT OF 1994 (MEASURE Q), THE VIOLENCE PREVENTION AND PUBLIC SAFETY ACT OF 2004 (MEASURE Y), CLOSE-OUT OF THE WILDFIRE PREVENTION ASSESSMENT DISTRICT AND THE ROCKRIDGE LIBRARY COMMUNITY FACILITIES DISTRICT OF 1992 FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2015, AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE CONTRACT FOR TWO ADDITIONAL YEARS WITHOUT RETURN TO COUNCIL

WHEREAS, WHEREAS, the City Council and local voters approved the Landscaping and Lighting Assessment District in 1989, the Emergency Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Wildfire Prevention Assessment District (WPAD), the Library Services Retention and Enhancement Act of 2004 (Measure Q), and the Rockridge Community Facilities District ("Districts"), and

WHEREAS, a professional engineer must be retained for the above Assessment Districts to delineate the parcels included within the boundaries, to determine the land uses and assessment rates for each parcel in order to develop the Assessment Roll annually for the County Assessor, and assist with any informational requests required by the City relating to the Districts and other district-related activities, and

WHEREAS on November 14, 2013, the City received four bids for the Assessment District Engineering Request for Proposals, and

WHEREAS, three of the proposals received were found to be qualified as they met the minimum requirements outlined in the RFP / cover letter and were evaluated by a panel of representatives from the City Administrator's Office, Fire Department, Public Works Agency, and the Library, and

WHEREAS, Francisco and Associates, Inc., received the highest score of the firms that bid on the Assessment District Engineer contract, and

WHEREAS, sufficient funds are available in the budgets of the respective special assessment funds to award this contract and

WHEREAS, Francisco & Associates Inc. is agreeable to a contract under the terms and conditions agreeable to the City, and

WHEREAS; the City Administrator has determined that the aforementioned contract is of a

ATTACHMENT C

professional technical 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 Administrator is authorized to award a contract to Francisco & Associates, Inc in an amount to be not-to-exceed \$153,000 to perform Engineering Services for the Landscaping and Lighting Assessment District (LLAD), the Emergency Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 1994 (Measure Q), the Violence Prevention and Public Safety Act of 2004 (Measure Y), close-out activities associated with the expiration of the Wildfire Prevention Assessment District and the Rockridge Library Community Facilities District of 1992 for the Fiscal Years 2013-14 and 2014-15, for the contract period January 1, 2014 through December 31 2015, and the City Administrator may extend the contract for two additional years without return to Council, and be it

FURTHER RESOLVED: That the City Council finds and determines, based on City Administrator's report and information above, that the aforementioned contract is of a professional technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive process, and be it

FURTHER RESOLVED: Francisco & Associates, Inc is designated as the District Engineer for the Landscaping and Lighting Assessment District, and be it

FURTHER RESOLVED: Francisco & Associates Inc is hereby directed to file an annual report for the Landscaping and Lighting Assessment District with the City Clerk in accordance with the provisions of the Landscaping and Lighting Act of 1972, specifically Section 22622 of the California Streets and Highways Code, and be it

FURTHER RESOLVED: Francisco & Associates Inc is hereby directed to file an annual report for the Wildfire Prevention Assessment District with the City Clerk in accordance with the provisions of Section 50078 of the California Government Code, per the Oakland Fire Suppression, Prevention and Preparedness District Ordinance (2003), and be it

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

IN COUNCIL OAKLAND CALIFORNIA _____

PASSED BY THE FOLLOWING VOTE

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland California