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OFFICE OF THE CITY CLERK
OAKLAND
2019 OCT 31 PM 12:59

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Ryan Russo
Director, DOT

SUBJECT: Leimert Boulevard Bridge Seismic
Retrofit Project

DATE: October 8, 2019

City Administrator Approval

Date:

10/31/19

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Waiving Further Competitive Request For Proposal (RFP) Requirements And Increasing The Contract With Biggs Cardosa Associates By Two Hundred Forty-Nine Thousand Four Hundred Nine Dollars And Twenty Cents (\$249,409.20) For A Total Contract Amount Not-To-Exceed One Million Five Hundred Thirty Thousand Two Hundred Seventy-Nine Dollars And Twenty Cents (\$1,530,279.20) For The Leimert Boulevard Bridge Seismic Retrofit Project.

EXECUTIVE SUMMARY

Adoption of the proposed resolution will authorize the City Administrator or designee to amend the existing professional services contract with Biggs Cardosa Associates Inc. for the seismic retrofit of Leimert Boulevard Bridge (Project No. 1000820) and proceed with the remaining phases. The cost to complete the remaining work is \$249,409.20 in total and is needed during right-of-way and construction phases of the project.

The work is in Council District 4 as shown in **Attachment A**.

BACKGROUND / LEGISLATIVE HISTORY

The Leimert Bridge is located on Leimert Boulevard over Sausal Creek between Park Boulevard and Clemand Road. After the Loma Prieta Earthquake, the California Department of Transportation (Caltrans) selected a list of structurally deficient bridges requiring seismic retrofitting and providing funding assistance for the work. Leimert Bridge was selected as one of the bridges for seismic retrofitting.

The City accepted Federal Highway Administration (FHWA) grant funds under the Highway Bridge Program (HBP) for the seismic retrofit design of the Leimert Bridge in 2015, Resolution No. 85917 C.M.S. Biggs Cardosa Associate Inc (BCA) was selected and awarded a contract to provide professional services during the design phase of the project by City Council Resolution No. 85918 C.M.S.

Item: _____
Public Works Committee
November 12, 2019

ANALYSIS AND POLICY ALTERNATIVES

The seismic retrofit design work is currently underway and environmental clearance for the project has been obtained. The project has now advanced to the right-of-way phase, which involves securing temporary construction easements or rights of entry to parcels adjacent to the project and coordinating with utility companies. Upon completion of the design and right-of-way phases, the project will advance to the construction phase.

BCA was selected to provide professional services to the project through the competitive RFP selection process following federal procedures. BCA was deemed the most qualified firm based on approach, experience, qualifications, and innovative design techniques. Professional services support during right-of-way and construction phases were included in the RFP but, based on recommendations from Caltrans staff and fund availability, was not awarded to the firm. At the time, only the design phase was awarded and authorized. With the pending completion of the design phase and the authorization by Caltrans to proceed with the remaining phases of the project, staff is seeking permission to award the remaining work during right-of-way and construction phases of the project. BCA has developed core knowledge to successfully complete design, and their knowledge constitutes a valuable resource to the project. The continued availability of their engineering services will expedite the remaining work, and will enable the City to meet the schedule set for submitting the plans and specifications for construction funding, and their continued work will be cost-effective.

Oakland Municipal Code ("OMC") section 2.04.51 requires the City to conduct a competitive Request For Proposals/Qualifications ("RFP/Q") selection process. However, per OMC section 2.04.051.A the City Council can waive the RFP/Q requirement upon a finding that it is in the City's best interest to do so. Should the City undertake a new RFP process to bring on a different consultant, the project would not meet grant deadline requirements and risk losing federal funding. It is also important to have BCA as the Engineer-of-Record to provide continue professional services to ensure the quality and overall cost-effectiveness of the project.

As such staff recommends that the Council to waive, pursuant to Oakland Municipal Code (OMC) Section 2.04.051.B, the RFP/Q requirements based on the reasons and circumstances cited herein and to authorize the remaining professional service work that was included in the original proposal to the current contract with BCA.

FISCAL IMPACT

The existing professional services contract with BCA, which is limited to the design phase, is in the amount of \$1,280,870.00. The professional services fee for the right-of-way phase is \$66,674.00 and construction support services fee is \$141,167.00. With a 20 percent contingency included in this proposal, the professional services cost for these remaining phases is \$249,409.20.

Below is a table of the funding sources for this work:

FUNDING SOURCE	AMOUNT
Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) funding; Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1000820	\$184,001.64
Measure B Local Match for Federal Fund Projects and the 20% contingency cost from Fund (2211); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1000820	\$65,407.56
TOTAL FUNDS	\$249,409.20

Funds are authorized by Caltrans on a phase by phase basis, as the funds are authorized they will be dispersed to the first account listed above.

PUBLIC OUTREACH / INTEREST

The project will continue to do extensive outreach to the neighboring community, including the Oakmore Homes Association. The retrofit of the project will require full and partial closure of the bridge depending on the stage of construction, thus requiring significant coordination with the community. Part of the work being authorized in this resolution is for VSCE Inc., a public relations consultant firm and a sub for BCA that will be handling the public outreach, and community meetings during the course of the project. The City continues to publish information on the project on the City of Oakland web site and will continue to do so.

COORDINATION

Oakland Public Works Bureau of Engineering and Construction, Department of Park and Recreation and Youth Development, Department of Building and Planning, Engineering Design and right-of-Way Management and Infrastructure Maintenance were consulted on this project. The Office of City Attorney and Controller's Bureau have also participated in the review of this report.

Coordination with City's Creek Protection Department and other State, Federal and local Agencies will be conducted during this phase and are on-going.

SUSTAINABLE OPPORTUNITIES

Economic – This project will provide a safe structure and allow traffic to continue to use the bridge following an earthquake, which is critical to rapid recovery. The retrofit of the bridge will also reduce maintenance costs.

Environmental – The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete product. Best Management Practices for the protection of storm water runoff during construction will be required.


Social Equity – The proposed improvements will increase safety not only for local residents using the bridge daily, but also for all visitors to and from Oakmore neighborhood.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Waiving Further Competitive Request For Proposal (RFP) Requirements And Increasing The Contract With Biggs Cardoso Associates By Two Hundred Forty-Nine Thousand Four Hundred Nine Dollars And Twenty Cents (\$249,409.20) For A Total Contract Amount Not-To-Exceed One Million Five Hundred Thirty Thousand Two Hundred Seventy-Nine Dollars And Twenty Cents (\$1,530,279.20) For The Leimert Boulevard Bridge Seismic Retrofit Project.

For questions regarding this report, please contact Mohamed Alaoui, P.E., Department of Transportation, Great Streets Delivery Division Manager, at (510) 238-3469.

Respectfully submitted,


RYAN RUSSO
Director, Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E., Assistant Director,
Department of Transportation

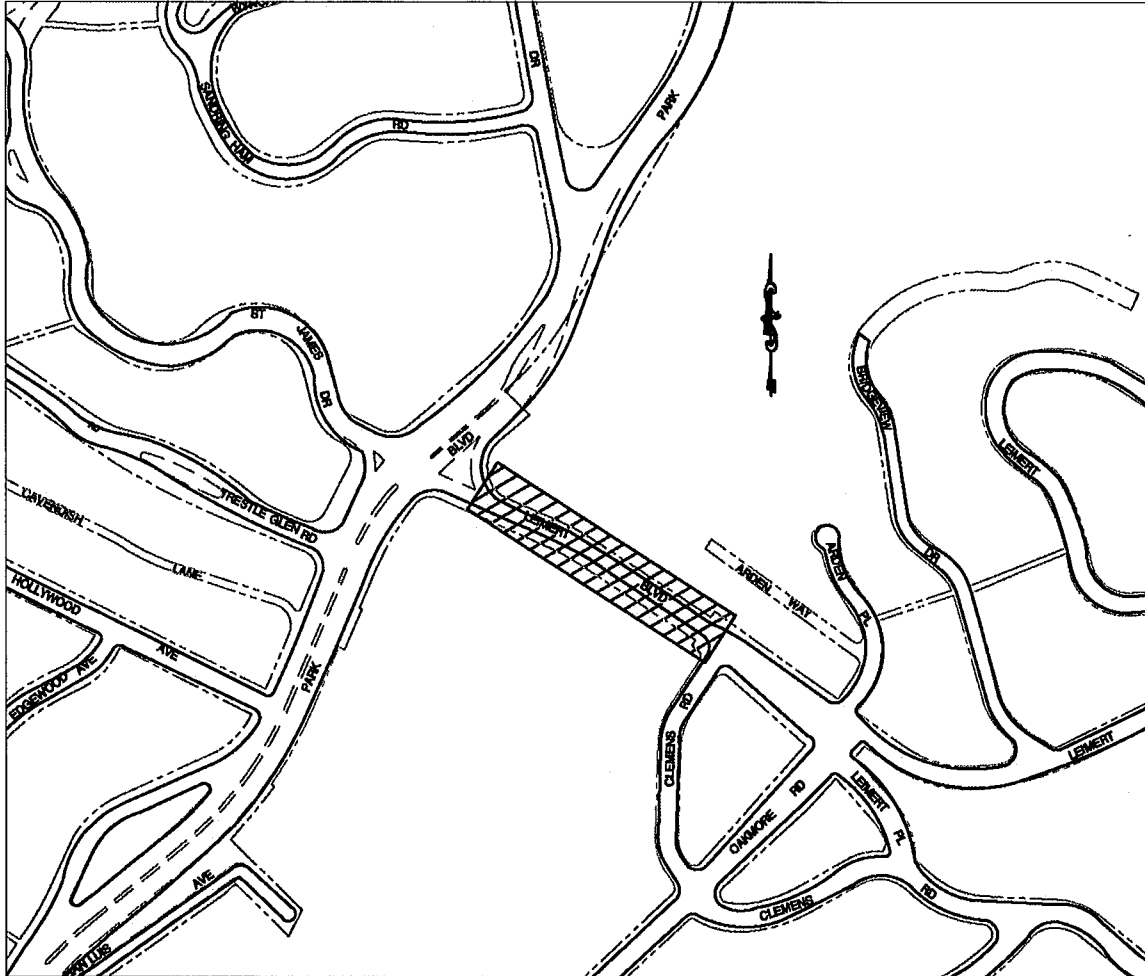
Reviewed by:
Mohamed Alaoui,
Great Street Delivery, Manager,
Department of Transportation

Reviewed by:
Si Lau, P.E., Supervising Civil Engineer,
Department of Transportation

Prepared by:
Mohammad Barati, P.E., Civil Engineer,
Department of Transportation

Attachment (1)
Attachment A – Site Map

LEIMERT BOULEVARD BRIDGE OVER SAUSAL CREEK



NOT TO SCALE

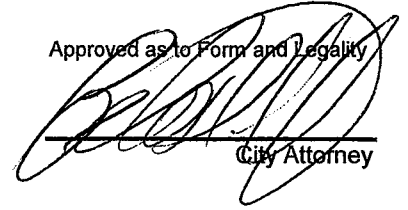


PROJECT LOCATION

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2019 OCT 31 PM 12:59

Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A RESOLUTION WAIVING FURTHER COMPETITIVE REQUEST FOR PROPOSAL (RFP) REQUIREMENTS AND INCREASING THE CONTRACT WITH BIGGS CARDOSA ASSOCIATES BY TWO HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED NINE DOLLARS AND TWENTY CENTS (\$249,409.20) FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED ONE MILLION FIVE HUNDRED THIRTY THOUSAND TWO HUNDRED SEVENTY-NINE DOLLARS AND TWENTY CENTS (\$1,530,279.20) FOR THE LEIMERT BOULEVARD BRIDGE SEISMIC RETROFIT PROJECT

WHEREAS, the Leimert Bridge was identified by the California Department of Transportation (Caltrans) for need of seismic retrofit; and

WHEREAS, Biggs Cardosa Associates Inc was awarded a contract for providing professional services for the design phase of seismic retrofit of Leimert Boulevard Bridge (Project No. 1000820) in an amount not to exceed \$1,280,870.00 by City Council (Resolution 85918 C.M.S) on December 8, 2015; and

WHEREAS, Biggs Cardosa Associate Inc., (BCA) was selected through competitive Request For Proposal (RFP) selection process following federal procedures, and the RFP included professional service during design, right of way and construction phases; and

WHEREAS, the existing contract is to provide professional services during the design phase; and

WHEREAS, should the City undertake a new RFP process to bring on a different consultant, the project would not meet grant deadline requirements and risk losing federal funding.

WHEREAS, BCA has developed core knowledge of the project which is a valuable resource; and

WHEREAS, it is also important to have BCA as the Engineer-of-Record to provide continue professional services to ensure the quality and overall cost-effectiveness of the project; and

WHEREAS, it is in the City's best interest to waive the competitive RFP selection requirement pursuant to Oakland Municipal Code (OMC) Section 2.04.051.B and have BCA to provide continue professional services under the current contract because it is in the best interests of the City to do so based on the reasons and circumstances cited in this Resolution and the Report that accompanies it; and

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

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

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

WHEREAS, sufficient funding will be available in the project budget to cover the increase in the contract amount in the following source:

- Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) funding; Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1000820 for the amount of \$184,001.64;
- Measure B Local Grant Match Fund (2211); Engineering Design: Streets & Structures Organization (92242); Consultant Account (54411); Project 1001512 for the amount of \$65,407.56; now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that based on the circumstances set forth in the Agenda Report which accompanies this Resolution, to waive the competitive RFP selection requirement of OMC Section 2.04.051.A, pursuant to OMC Section 2.04.051.B because it is in the best interests of the City, and have Biggs Cardosa Associates Inc provide continue professional services under the current contract; and be it

FURTHER RESOLVED: That the City Administrator or designee, is authorized to amend the professional service contract with Biggs Cardosa Associates Inc for the seismic retrofit of Leimert Boulevard bridge (Project No. 1000820) to increase the contract by an amount not-to-exceed Two Hundred Forty-Nine Thousand Four Hundred Nine Dollars and Twenty Cents (\$249,409.20); and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said contract with the exception of increases in compensation, with Biggs Cardosa Associates Inc., 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNATO-BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO, and PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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