



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: David Ferguson,
Interim Director, OPW

SUBJECT: Professional Services Award for
Estuary Park Renovation and
Expansion Project

DATE: July 6, 2020

City Administrator Approval 

Date: Jul 24, 2020

RECOMMENDATION

Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award And Execute A Professional Services Agreement For Landscape Architectural Design Services For The Estuary Park Renovation And Expansion Project (No. 1000858) With WRT, LLC, For An Amount Not-To-Exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00).

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator to enter into a professional services agreement with WRT, LLC, to provide landscape architectural services for improvements to the Estuary Park Project (no. 1000858), in an amount not-to-exceed one million four hundred thousand dollars (\$1,400,000.00).

The professional services scope of work is necessary to complete the design and construction of a Measure DD - Oakland Trust for Clean Water and Safe Parks Bond program (Measure DD) capital improvement project. The services include, at a minimum, stakeholder engagement, renovation and expansion design of the existing park area, bid and award support, and construction support services for the project. The project scope includes the expansion and design of Estuary Park to include the adjacent cleared parcel, enhancement of the Bay Trail, improve pedestrian and bicycle access from Oak Street and Embarcadero to Estuary Park, and improve access along the water's edge in accordance with existing planning documents, land use restrictions, and the priorities identified through the 2018/19 public engagement process.

BACKGROUND/LEGISLATIVE HISTORY

The Estuary Park site is approximately 11 acres located at 5 Embarcadero along the Waterfront area of Oakland in City Council District 3. Please see **Attachment A – Project Location Map**. The Park incorporates the Jack London Aquatic Center, a City facility that provides youth and adult rowing programs. It also includes a popular multi-use grassy field frequently used for soccer and other impromptu team sports, a public boat launching ramp, a group picnic area, and the demolished adjacent Cash and Carry building site that is currently fenced off and not in use. The park site is adjacent to the Oakland Estuary and the opening to the Lake Merritt Channel.

City Council Meeting
July 28, 2020

Through a variety of planning processes in the mid 90's the Estuary Park Renovation and Expansion Project was proposed and thereby incorporated into several local and regional plans over the last twenty years including the adopted General Plan Open Space, Conservation and Recreation (OSCAR) in 1996 and the Estuary Policy Plan in 1999. As stated in the Estuary Policy Plan: OAK-2.1: Expand & Rehabilitate Estuary Park: "If Estuary Park is to fulfill its potential, it is important to make it more visible from the Embarcadero. It should be expanded and extended to the street, adding to the total amount of useable public space and improving park security. The entire park (including the expansion area) should be improved. Consideration should be given to providing places to observe major civic celebrations and water-related festivals."

The Estuary Park Project was also listed in the Measure DD – Oakland Trust for Clean Water and Safe Parks Bond program (Measure DD) under the category for Estuary Waterfront Access, Parks and Cleanup Program. Now that the 12th Street Improvement Project is complete, the Lake Merritt Channel Improvements at 10th Street, the Lake Merritt Channel Pedestrian Improvements at 7th Street, and the Pedestrian and Bicycle Connector Project are all underway. The City is positioned to realize long-held community objectives for the creation of a major open space of citywide and regional significance, as described in the Estuary Policy Plan. The plan states, "Estuary Park is a significant public asset which can and should be upgraded. It has a historical relationship with nearby Lake Merritt and the Lake Merritt Channel, and there is now a chance to finally reconnect Lake Merritt with the Estuary."

Funding for the design of the Estuary Park project was approved on December 13, 2016, by Resolution No. 86516 C.M.S., which authorized the sale of the Measure DD, Series C, Bond.

In February 2018, a professional landscape architectural services agreement for the Estuary Park project was awarded to Hargreaves Associates. A robust public engagement process was implemented between August 2018 and February 2019. During this period, a number of site challenges were identified, including soil contamination, sea-level rise, and associated permitting challenges. Additionally, staff determined that the Hargreaves team was inadequate to address these site challenges and unwilling to consider revising the draft concept that they had developed. For these reasons, the professional services contract with Hargreaves Associates was terminated in October 2019.

A new Request for Proposals (RFP) was issued on January 17, 2020. Six proposals were received on February 14, 2020, and reviewed for qualifications. WRT Associates was selected by the review panel to assist the City in addressing the Estuary Park site challenges and identifying a feasible design for the park.

ANALYSIS AND POLICY ALTERNATIVES

In accordance with Oakland Municipal Code (OMC) 2.04.051 and the provisions of Administrative Instruction 150 for Professional Services Contracts, a Request For Proposals (RFP) for design and engineering services was issued in January 2020 seeking a firm most suitable for the proposed project. On February 14, 2020, Public Works Contract Services received six (6) proposals. City Administrator's Office – Contracts and Compliance Division completed their analysis on March 6, 2020. Please see **Attachment B - Contract Compliance & Employment Services Compliance Analysis** for details.

A review panel reviewed and ranked the proposals based on the quality and content of the plans. These were the criteria:

1. Relevant experience and strengths of the firm; Demonstrated ability to deliver exceptional projects; Experience with waterfront sites and the particular challenges they present, i.e., permitting, contamination etc.; Prior experience working with municipal or other public agency budgets and process.
2. Proven project management expertise and experience on similar size and complex waterfront projects; Quality control methods; Communication methods; Prior experience and proposed approach to community engagement; Ability to provide high-quality customer service to the City and the community.
3. Proposed project approach and creativity; Demonstrated understanding of the unique project complexities and challenges.
4. Quality and completeness of responses to interview questions; Unique resources/expertise relevant to the project; Demonstrated capacity to respond to all project requirements in a timely manner.

Based on the proposal review process, four firms were shortlisted. Due to the COVID 19 shelter-in-place orders, interview questions were provided to the four shortlisted firms requesting written responses to be submitted by April 6, 2020. Based on the proposal and follow-up questions, the panel recommended selecting WRT Associates and their consultant team to be the most qualified and most responsive to the Request for Proposal (RFP) to assist the City in addressing the site challenges at Estuary Park and developing a feasible design for the renovation and expansion of the Park, and to produce the technical construction drawings allowing Public Works Department to solicit construction bids from contractors.

Staff completed negotiations on the specific planning, design, and engineering scope of work for the Estuary Park Renovation and Expansion with WRT Associates as of May 26, 2020. Upon completion of negotiations, WRT Associates exceeds the City's Local Business Enterprise/Small Local Business Enterprise program (LBE/SLBE), with a total of 76.40% Local Business Enterprise/Small Local Business Enterprise/Very Small Local Business Enterprise (LBE/SLBE/VSLBE) participation. WRT Associates engaged twelve local and small local businesses as part of the design team. WRT has completed the City's Equal Benefits Ordinance requirements as well as other programs as required. Please see **Attachment C – Updated Contract Compliance & Employment Services Compliance Analysis**, dated June 24, 2020, for details.

FISCAL IMPACT

Approval of this resolution authorizes the City Administrator to award a professional services agreement contract to WRT, LLC in an amount not to exceed one million four hundred thousand

dollars (\$1,400,000.00) for the for landscape architectural design services for the Estuary Park renovation and expansion project (No. 1000858).

Available funding for the professional services agreement contract is identified in the following table.

FUNDING SOURCE	AMOUNT
Measure DD, Series C, Fund (5322); Award (23145) Capital Projects Organization (92270); Consultant Contract Account (54411); Waterfront Trails – Estuary Park Project (1000858); Project Delivery Program (IN06)	\$1,400,000.00

The design of the project will have no immediate operational fiscal impact. Funding for maintenance of the newly renovated and expanded Estuary Park will be provided through the Community Facilities District associated with the Brooklyn Basin Project Development Agreement.

There is no impact on the General Purpose Fund, and no additional funding is requested.

PUBLIC OUTREACH / INTEREST

The Project is highly noted throughout various City and regional plans as listed in the Background/Legislative History section of this report. Public outreach and engagement were conducted throughout the development of those plans. Results of the feedback and participation deemed this project as a priority in the implementation of the Estuary Policy Plan and the Measure DD Estuary Waterfront Access, Parks and Cleanup Program.

From August 2018 through February 2019, a robust and thorough community engagement process was conducted for the Estuary Park Renovation and Expansion Project. During this period, one stakeholder and three public community meetings were held.

August 30, 2018	STAKEHOLDER MEETING
October 17, 2018	COMMUNITY MEETING #1
December 05, 2018	COMMUNITY MEETING #2
January 31, 2019	COMMUNITY MEETING #3

At each of the community meetings, all the participants filled out surveys. At the end of the meetings, the surveys were collected by table facilitators and logged online. The surveys were also made available online at Survey Monkey and open for three weeks, to allow people who were unable to attend the community meetings an opportunity to provide input.

In addition to these meetings, the team attended several events and regularly occurring meetings including:

- Heartland Merchants Districts Meeting
- Several NCPD Meetings including Jack London, Chinatown and the Clinton Neighborhoods.
- East Oakland Collective General Assembly
- East Oakland Neighborhood Initiative Launch Meeting

- Black-Eyed Pea Festival
- Eastlake Mid-Autumn Festival
- Oakland's Cultural Plan and FY 18-19 Grantee Celebration
- Friday Nights at OMCA
- East Oakland Neighborhood Initiative Kickoff Event
- East Oakland Neighborhood Initiative Coliseum Event
- 2018 Eastlake Annual Moon Festival
- Jack London Farmers Market
- Lincoln Elementary School

For the January 2020 RFP, Oakland Public Works – Project Delivery Division (OPW-PDD) engaged Public Works Contract Services and the Office of the City Administrator - Contract & Compliance Department for assistance with the Professional Services Request for Proposals (RFP) process. The RFP was advertised on January 17, 2020. Notifications were distributed by several means through:

- The City of Oakland *iSupplier* system, which includes City certified landscape architecture, engineering, and planning firms, registered professional services providers, plan rooms and builder's exchanges including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction Bidboard. A total of 320 notices were distributed.
- Posting on CIPlist.com, which distributes to registered plan rooms and builders' exchanges widely accessed and redistributed by other listserve business organizations that provide notice of RFQ/P opportunities to local firms.
- Printed legal notice in the Oakland Tribune, El Mundo, The Post, Korea Times, and World Journal.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney, Budget Bureau, and Contracts and Compliance Department of the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: The consultant is verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The projects will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. Local businesses will be utilized on the projects and will benefit directly.

Environmental: The consultant will be required to adhere to the City's Bay-Friendly Landscape Ordinance, consider the use of recycled materials in the products specified as well as integrate technology and design elements supporting environmental, waste reduction and energy conservation objectives. Additionally, the design of Estuary Park will be based on the most

recent sea level rise data and will provide a plan for future adaptive steps to extend the resiliency of the park.

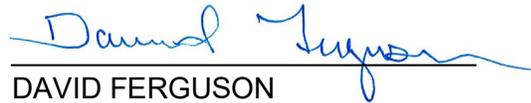
Race & Equity: The proposed landscape architecture design services contract will enhance Estuary Park and provide new facilities to support increased recreational opportunities for Oaklanders citywide. The resulting project will comply with the Americans with Disabilities Act (ADA) and enhance the enjoyment of Estuary Park for all ages and abilities.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that City Council adopt a resolution authorizing the City Administrator, or designee, to award and execute a professional services agreement for landscape architectural services for the Estuary Park Renovation and Expansion Project with WRT Associates for an amount not-to-exceed \$1,400,000.00.

For questions regarding this report, please contact Ali Schwarz, Capital Improvement Project Coordinator, Project Delivery Division, (510) 238-7310.

Respectfully submitted,



DAVID FERGUSON
Interim Director, Oakland Public Works

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Matt Lee, Assistant Director
Bureau of Design & Construction

Prepared by:
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Attachments (1):

- A: Project Location Map*
- B: Contract Compliance Memo, March 6, 2020*
- C: Updated Contract Compliance Memo, June 24, 2020*