

**CITY OF OAKLAND**  
**AGENDA REPORT**

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2005 APR 14 PM 12:17

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: April 26, 2005

RE: RESOLUTIONS AUTHORIZING TWO (2) PROFESSIONAL SERVICES AGREEMENTS FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH JONES & STOKES AND AMPHION ENVIRONMENTAL, INC., FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) EACH

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**SUMMARY**

Resolutions have been prepared authorizing the City Administrator, or her designee, to enter into professional services agreements to provide as-needed hydrology and creek restoration design services with each of the following design firms:

- Jones & Stokes
- Amphion Environmental, Inc.

Each professional service agreement is for a not-to-exceed amount of \$250,000. The Public Works Agency, Project Delivery Division, will manage the contracts.

These as-needed hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various City projects related to creeks, storm drains, wetlands, and the waterfront. Typical projects include hydrology and geomorphology studies, biological assessments, creek restoration, creek bank stability projects, wetland restoration, stormwater treatment and detention, and other water-related projects.

The as-needed hydrology and creek restoration design services for various improvement projects are consistent with the Mayoral and City Council Goal of "Maintaining and Enhancing Oakland's Physical Assets" by protecting and improving Oakland's waterways.

**FISCAL IMPACT**

Each agreement is for an amount not to exceed \$250,000, for a combined total of \$500,000 for both contracts. The as-needed hydrology and creek restoration design services will be

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required for projects funded by Measure DD (Oakland Trust for Clean Water and Safe Parks), Proposition 40 (2002 State Bond for Clean Air, Clean Water, and Safe Parks) and various other capital improvement funds and grants.

The approval of these contracts will not result in additional appropriation of funds. The services will be funded through the various individual projects. Funds will be identified prior to the performance of the design services.

## **BACKGROUND**

The City issued a Request for Proposals (RFP) for as-needed hydrology and creek restoration design services. Fourteen firms responded to the RFP. The Public Works Agency, Project Delivery Division, reviewed the proposals and short-listed seven firms based on the quality and content of the proposals. The short-listed firms were then interviewed and evaluated by a selection panel consisting of City staff from the Engineering Division and the Environmental Services Division, plus an outside community member. All panelists were experienced in hydrology and water quality issues. The evaluation criteria included the following:

1. Relevant experience;
2. Qualifications of project team and project manager;
3. Organization of firm, availability of resources and capability to meet project schedules;
4. Understanding of the design requirements for City projects; and
5. Ability to provide high quality customer service to the City and the community.

All seven firms were judged to be well-qualified, and the top five ranked firms received contracts with the City in the summer and fall of 2004. One firm has been unable to execute the contract due to corporation legal issues. The other four firms have been used for design work on various projects, including Measure DD creek and waterfront work.

Staff anticipates that the value limits of these four contracts will be reached in the near future, and there is a need for additional as-needed hydrology and creek restoration design services. Staff is recommending that the City contract with the remaining two firms that were short-listed: Jones & Stokes and Amphion Environmental, Inc.

The two firms are qualified to provide as-needed hydrology and creek restoration design services. Both are certified local or small local businesses and have exceeded the City's Local/Small Business Enterprise (LBE/SLBE) program requirements of 20% total local participation. The Contract Compliance Division of the City Administrator's Office has verified the LBE and SLBE information for each firm as shown on Attachment A.

Both firms have the technical expertise to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues involved in implementing capital improvement projects along the City's waterways.

### **KEY ISSUES AND IMPACTS**

It is anticipated that several capital improvement projects funded by Measure DD, Proposition 40 and various other capital improvement funds and grants will utilize the as-needed hydrology and creek restoration design services agreements. Additionally, unscheduled projects will occur from time to time and will most likely require or benefit from these design services agreements. As-needed professional services agreements allow the City to promptly respond to urgent projects and provide the necessary design services in an efficient and timely manner. The agreements will also reduce staff time and costs when compared to an individual project-by-project request for proposal process.

### **SUSTAINABLE OPPORTUNITIES**

Economic: 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 projects will protect and improve our creeks, wetlands, and shoreline, and wildlife habitat enhanced.

Social Equity: The proposed design services to the various projects will enhance the usage and quality of waterways in all parts of Oakland. Watershed-based planning of these projects will improve the social connections between the upstream and downstream neighborhoods.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

Consultants will be required to design the City improvements in compliance with the physical access requirements of the Americans with Disabilities Act.

### **RECOMMENDATION AND RATIONALE**

As-needed professional services agreements will expedite the design of capital improvement projects. The time and costs currently expended in selecting consultants on a project-by-project basis will be reduced. Executing these contracts will allow the City to spread contract opportunities to all qualified local firms that were short-listed through a competitive RFP process.

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April 26, 2005

It is recommended that the City Administrator, or her designee, enter into professional services contracts to provide as-needed hydrology and creek restoration design services with each of the following two firms: 1) Jones & Stokes 2) Amphion Environmental, Inc. Each contract is for an amount not to exceed \$250,000.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that City Council approve the resolutions.

Respectfully submitted,

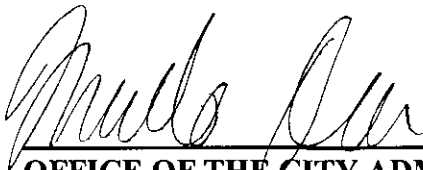


**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Michael Neary, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Department

Prepared by:  
Joel Peter  
Project Manager  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE



**OFFICE OF THE CITY ADMINISTRATOR**

Item: \_\_\_\_\_  
Public Works Committee  
April 26, 2005

**OAKLAND CITY COUNCIL**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2005 APR 14 PM 12:17

RESOLUTION NO. \_\_\_\_\_ C. M. S.

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

*Robert V. Gierro*

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH AMPHION ENVIRONMENTAL, INC., FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)**

**WHEREAS**, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and the waterfront; and

**WHEREAS**, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, unscheduled projects occur from time to time and will most likely require hydrology and creek restoration design services; and

**WHEREAS**, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

**WHEREAS**, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

**WHEREAS**, fourteen firms responded to the City's Request for Proposals and Amphion Environmental, Inc. was chosen in the top seven rated firms to provide the services; and

**WHEREAS**, the City wishes to enter into a contract with Amphion Environmental, Inc. and the City Council finds that this contract is for services of a professional 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 services; now, therefore, be it

**RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into an Agreement with Amphion Environmental, Inc. to provide as-needed hydrology and creek restoration design services; and be it

**FURTHER RESOLVED:** That the total amount of the Agreement is for an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); 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 agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That a copy of the agreements will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

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

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

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

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

**OAKLAND CITY COUNCIL**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2005 APR 14 PM 2:04

RESOLUTION NO. \_\_\_\_\_ C. M. S.

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

*Rodriguez*

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AS-NEEDED HYDROLOGY & CREEK RESTORATION DESIGN SERVICES WITH JONES & STOKES, FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)**

**WHEREAS**, professional hydrology and creek restoration design services are needed to provide technical studies, design services and construction support services for various city projects related to creeks, storm drains, wetlands, and the waterfront; and

**WHEREAS**, as-needed hydrology and creek restoration design services agreements allow the City to promptly respond and provide the necessary services in an efficient and timely manner; and

**WHEREAS**, unscheduled projects occur from time to time and will most likely require hydrology and creek restoration design services; and

**WHEREAS**, it is anticipated that several Measure DD, Proposition 40, and various funded capital improvement projects will utilize the as-needed services agreements; and

**WHEREAS**, the hydrology and creek restoration design services will be funded through the various individual projects; and funds will be identified prior to the performance of the design services; and

**WHEREAS**, fourteen firms responded to the City's Request for Proposals and Jones & Stokes was chosen in the top seven rated firms to provide the services; and

**WHEREAS**, the City wishes to enter into a contract with Jones & Stokes and the City Council finds that this contract is for services of a professional 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 services; now, therefore, be it

**RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into an Agreement with Jones & Stokes to provide as-needed hydrology and creek restoration design services; and, be it

**FURTHER RESOLVED:** That the total amount of the Agreement is for an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); 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 agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; and be it

**FURTHER RESOLVED:** That a copy of the agreements will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

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

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

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

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



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

# Memo

**TO:** Danny Lau  
**THROUGH:** Deborah Barnes, CC&ES Manager  
**FROM:** Vivian Inman  
**CC:** Joel Peters  
**DATE:** 13-Apr-05  
**RE:** As Needed Hydrology

Contract Compliance & Employment Service is in receipt of fourteen (14) proposals for the above referenced project. Below, please find a compliance evaluation for the 20% minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

Compliance findings for the 20% Local/Small Local Participation Requirement are:(in Alphabetical Order)

Company Name	Bid Amount (If applicable)	Proposed Participation			Preferences			Banked Credits Eligibility	EBO Compliant? Y/N
		Total	LBE	SLBE	Bid Discounts	Adjusted Bid Amount	Points		
1 Amphion Environmental	N/A	50.00%	10.00%	40.00%	N/A	N/A	5	N/A	N
2 Jones & Stokes	N/A	45.00%	10.00%	35.00%	N/A	N/A	4	N/A	Y

As noted above, all firms met or exceeded the 20% L/SLBE requirement. Firms that are not in compliance with the EBO will have to come into compliance prior to contract execution.

Should you have any questions you may contact me at extension 6261.

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. Not Applicable

PROJECT NAME: As Needed Hydrology

**CONTRACTOR:** Jones & Stokes

**Engineer's Estimate:**      **Contractors' Bid Amount**      **Over/Under Engineer's Estimate**

**Bid discounted amount:**      **Discount Points:**  
Not applicable      Not applicable

1. Did the 20% requirements apply?      **Yes**

2. Did the contractor meet the 20% requirement      **Yes**

    a) % of LBE participation      **10.00%**

    b) % of SLBE participation      **35.00%**

3. Did the contractor meet the Trucking requirement?      **NA**

    a) Total trucking participation      **0.00%**

4. Did the contractor receive bid discount points?      **Yes**

    (If yes, list the points received)      4

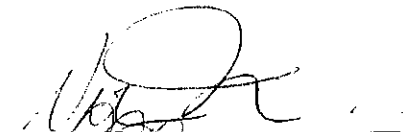
5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

4/13/2005

Date

**Reviewing Officer:**



**Date:** 4/13/05

**Approved By**



**Date:** 4/13/05

## LBE/SLBE Participation Jones & Stokes

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:						For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	TOTAL	TOTAL	Ethn.	MBE	WBE
				%	%	LBE/SLBE	Percentage			
PRIME	Jones & Stokes	Oakland	CB	10.00%		10.00%	35.00%			
	Williams & Phillips	San Francisco	UB				30.00%			
	Chow Engineering	Oakland	CB		20.00%	20.00%	20.00%			
	Advanced Resources	Oakland	CB		15.00%	15.00%	15.00%			
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				10.00%	35.00%	45.00%	100.00%		0%	0%
				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Legend</b>		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. Not Applicable

PROJECT NAME: As Needed Hydrology

**CONTRACTOR:** Amphion Environmental

Engineer's Estimate:      Contractors' Bid Amount      Over/Under Engineer's Estimate

Bid discounted amount:      Discount Points:  
Not applicable      Not applicable

1. Did the 20% requirements apply?      Yes

2. Did the contractor meet the 20% requirement      Yes

    a) % of LBE participation      10.00%

    b) % of SLBE participation      40.00%

3. Did the contractor meet the Trucking requirement?      NA

    a) Total trucking participation      0.00%

4. Did the contractor receive bid discount points? Yes

    (If yes, list the points received,      5

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

4/13/2005

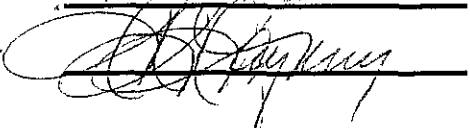
Date

Reviewing Officer:



Date: 4/13/05

Approved By



Date: 4/13/05

## LBE/SLBE Participation Amphion

Project Name: As Needed Hydrology & Creek Restoration Design Services

Project No.:		Engineers Estimate:						For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	TOTAL	TOTAL	Ethn.	MBE	WBE
				%	%	LBE/SLBE %	Percentage			
PRIME Hydrology Geology Biology	Amphion Environmental	Oakland	CB		40.00%	40.00%	40.00%			
	Schaaf & Wheeler	Oakland	UB				30.00%			
	Lowney	Oakland	CB	10.00%		10.00%	15.00%			
	H.T. Harey & Associates	San Jose	UB				15.00%			
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				10.00%	40.00%	50.00%	100.00%		0%	0%
				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Legend</b>		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				