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OFFICE OF THE CITY CLERK  
OAKLAND  
2015 APR 29 PM 12:58

# AGENDA REPORT

**TO:** JOHN A. FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Brooke A. Levin

**SUBJECT:** Urban Design Consulting Engineers  
Contract Amendment

**DATE:** April 2, 2015

City Administrator  
Approval

Date:

4/27/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that the City Council:

Adopt A Resolution (1) Waiving The Request For Proposal (“RFP”) Competitive Selection Requirement; (2) Authorizing The City Administrator, Or Designee, To Amend The Professional Services Agreement With Urban Design Consulting Engineers To Increase The Contract Amount From One Hundred Fifty Thousand Dollars (\$150,000.00) To A Total Not-To-Exceed Two Hundred Fifty Thousand Dollars (\$250,000.00); And (3) Extending The Time Of Performance Of The Contract Work From April 30, 2015 To December 31, 2016, To Perform Design Services For The Antioch Court Pedestrian Improvement Project.

## OUTCOME

Approval of the resolution allows staff to retain Urban Design Consulting Engineers (Oakland, Small Local Business), to provide design services for the Antioch Court Pedestrian Improvement project.

## BACKGROUND/LEGISLATIVE HISTORY

The Antioch Court Pedestrian Improvement project is a community-initiated effort that began as early as 2002, when a group of citizens, artists, business owners, and community leaders considered ways to improve the pedestrian experience in Montclair Village. In 2008, the Montclair Village Association (MVA), the area’s business improvement district (BID), retained Golden & Associates (an Oakland-based landscape design firm) to conduct two public meetings of residents and Village merchants to review and prioritize concepts. Based on the input from these meetings, Golden & Associates created a design plan. Urban Design Consulting Engineers, acting as a subconsultant to Golden Associates, prepared preliminary engineering drawings and a cost estimate to construct the design. The Montclair Safety and Improvement Council (MSIC)

Item: \_\_\_\_\_  
Public Works Committee  
May 12, 2015

joined the MVA Team during this process to ensure safety issues were addressed in the project, to help create a project presentation, and to organize the fundraising process. To date, the MVA has spent over \$35,000 of its own funds to advance the preliminary design.

The preliminary plan calls for pedestrian crossing improvements, bulbouts, street furniture, and the regrading of one block (less than 200 feet) of Antioch Court to allow periodic closure of street for events, festivals, pedestrian access, etc. (See *Attachment A*). In April 2010 the City Council authorized the City Administrator to execute a professional services agreement with Urban Design Consulting Engineers to provide on-call design and engineering services for a contract amount not-to-exceed \$150,000. Urban Design has used all but \$8,000 of its contract capacity.

### ANALYSIS

Since the contract execution in 2010, Urban Design Consulting Engineers has provided design services for a variety of civil and streetscape projects. Independently, Golden Associates and Urban Design Consulting Engineers provided design services to the MVA for the preliminary design and community outreach for the Antioch Court Pedestrian project.

On July 18, 2013 the MVA made a presentation to the Bicycle and Pedestrian Advisory Committee (BPAC), and requested the BPAC to support future allocations of discretionary bike/pedestrian funds for the Antioch Court project. At the March 2014 BPAC meeting, Antioch Court was identified as a project needing funds under the Pedestrian Master Plan Implementation program (Project No. C428310) and the Committee approved a request for \$90,000 in funds for final design.

Because of their continued involvement in the Antioch Court project and relationship with the MVA for the past several years, staff recommends that the existing contract with Urban Design Consulting Engineers be extended and increased to allow them to complete design work on the Antioch Court project.

OMC Title 2, Chapter 2.04, Article I, Section 2.04.051.A requires that the City Administrator, or the City Administrator's designee, conduct a request for proposals (RFP) or request for qualifications (RFQ) process for the award of contracts that exceed \$25,000.00 and are exempt from bidding under Section 2.04.050.I.1. However, OMC Title 2, Chapter 2.04, Article I, Section 2.04.051.B provides that upon a finding by the City Council or its designee that it is in the best interests of the City, the City Council may waive the requirement for an RFP or RFQ process.

As such, staff recommends that the City Council find and determine that it is in the best interests of the City to waive the RFQ/P competitive selection requirements for this agreement with Urban Design Consulting Engineers. Staff makes this recommendation based on the several factors: Approval of a competitive selection waiver will enable staff to continue the community outreach and final design process for the Antioch Court project with Urban Design Consulting Engineers, who has performed preliminary design work on behalf of the MVA, without any disruption or project delay.

## **COORDINATION**

This report has been prepared and coordinated with the Office of the City Attorney, Controller's Bureau, and the City Administrator's Office Division of Contracts and Compliance.

## **COST SUMMARY/IMPLICATIONS**

Increasing the contract limit for Urban Design Consulting Engineers has no direct cost implications. Funding for the design of Antioch Court is available under the Pedestrian Master Plan Implementation program (Project No. C428310). Pending final negotiation with Urban Design Consulting Engineers, the estimated design cost is \$75,000 and \$15,000 is allocated for project management and design review/oversight, to be performed by Public Works staff. An additional \$10,000 for contingencies is also available, for a total of \$100,000.

Approval of the resolution will authorize the City Administrator, or the designee, to execute an amendment to increase the professional services agreement with Urban Design Consulting Engineers for an amount not-to-exceed \$250,000:

1. AMOUNT OF RECOMMENDATION/COST OF INCREASE: \$100,000 including \$25,000 in contingency funds.
2. REVISED CONTRACT AMOUNT NOT-TO-EXCEED: \$250,000

Urban Design Consulting Engineers is a certified Small Local Business Enterprise (SLBE).

3. SOURCE OF FUNDING:

Pedestrian Master Plan Implementation Project No. C428310. Amount: \$100,000.

4. FISCAL IMPACT:

The increase of contract amount and extension of the contract period will assure timely completion of the construction plans and specifications. As the project design and community outreach process proceed, staff will identify potential sources of funding for construction of the project, including grants, pass-through funds and private financing. Once funds for construction are identified, staff will return to council for the necessary approvals to appropriate funding and award contracts.

## **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Urban Design Consulting Engineers has provided satisfactory services under the current on-call services design contract.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this report.

***Environmental:*** There are no environmental opportunities associated with this report.

***Social Equity:*** There are no social equity opportunities associated with this report.

For questions regarding this report, please contact Wladimir Wlassowsky, P.E., Transportation Services Manager, at (510) 238-6383.

Respectfully submitted,



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BROOKE A. LEVIN  
Director, Oakland Public Works

Reviewed by:  
Michael J. Neary, P.E., Assistant Director  
OPW, Bureau of Engineering and Construction

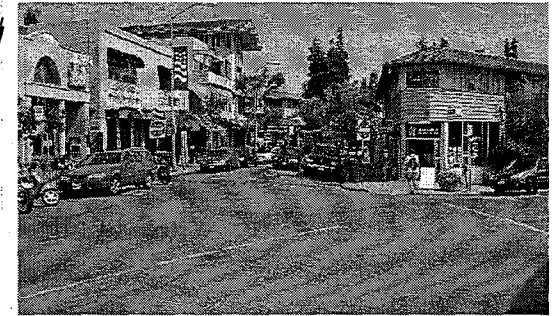
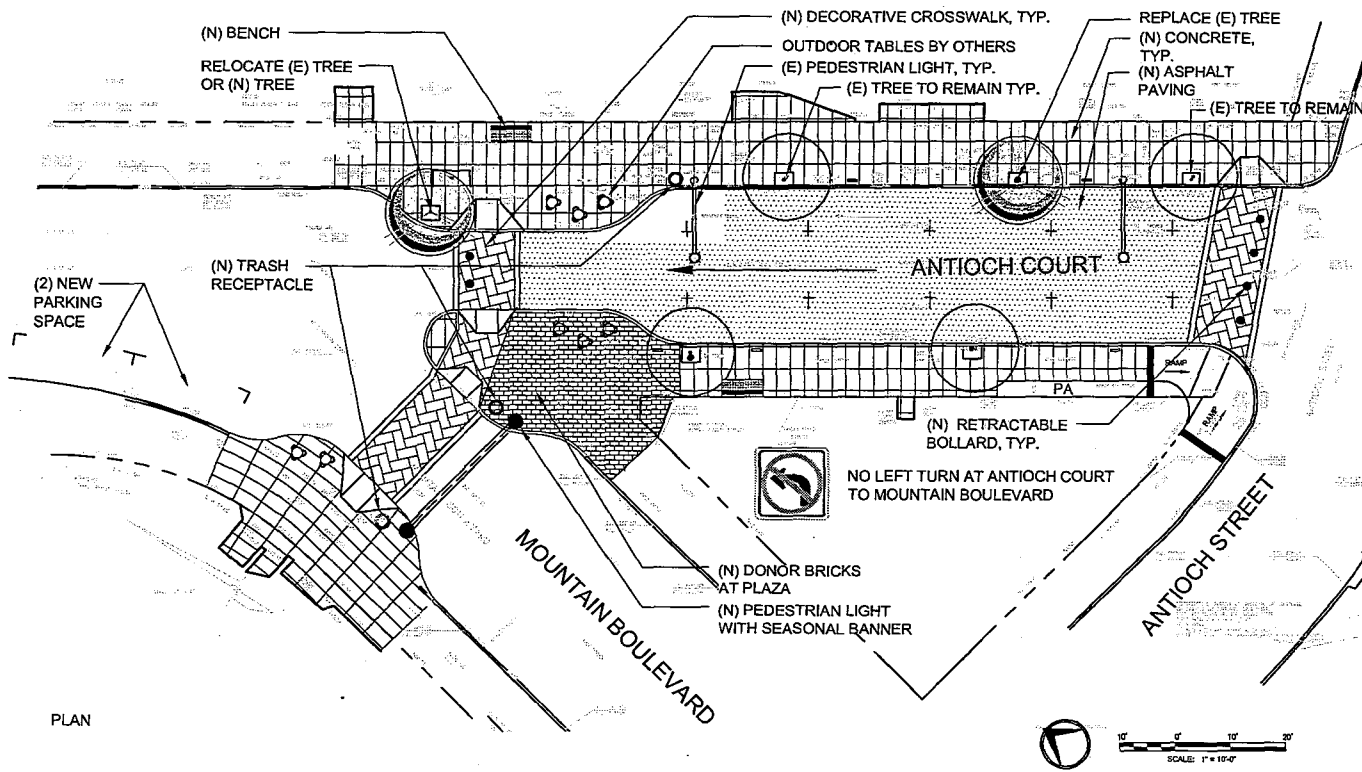
Prepared by:  
Wladimir Wlassowsky, P.E., Division Manager  
Transportation Services Division  
OPW, Bureau of Engineering and Construction

Attachment (1)  
Attachment A: Montclair Village – Antioch Court Improvement Plan

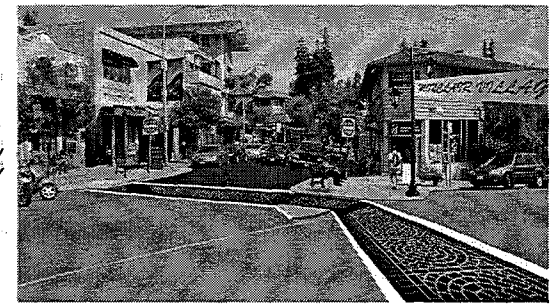
Item: \_\_\_\_\_  
Public Works Committee  
May 12, 2015

## Attachment A

### Montclair Village-Antioch Court Improvements Plan



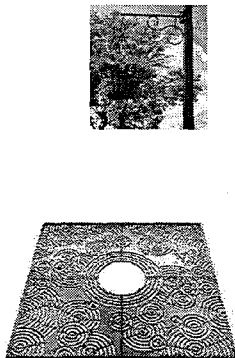
EXISTING ANTIOCH COURT



PROPOSED ANTIOCH COURT ASPHALT AT CONCRETE PAVING



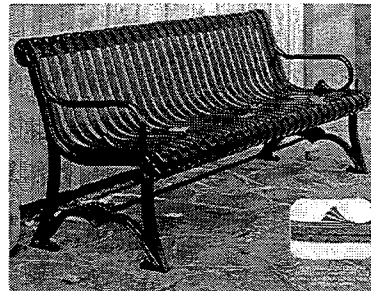
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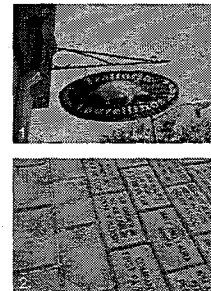
HANGING FLOWER BASKET  
TREE GRATE



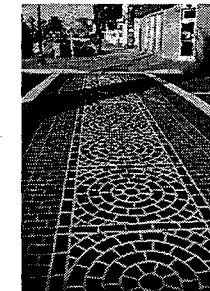
PEDESTRIAN LIGHT WITH HANGING FLOWER BASKET



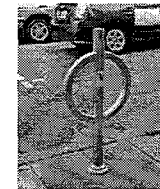
BENCH



1. BLADE SIGNAGE  
2. DONOR BRICKS



DECORATIVE CROSSWALK



BIKE RACK



RETRACTABLE BOLLARDS

# MONTCLAIR VILLAGE - ANTIOCH COURT IMPROVEMENTS PLAN

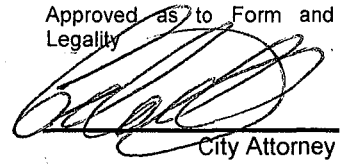
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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and  
Legality



City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

2015 APR 29 PM 12:58

**RESOLUTION (1) WAIVING THE REQUEST FOR PROPOSAL (“RFP”) COMPETITIVE SELECTION REQUIREMENT; (2) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH URBAN DESIGN CONSULTING ENGINEERS TO INCREASE THE CONTRACT AMOUNT FROM ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) TO A TOTAL NOT-TO-EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00); AND (3) EXTENDING THE TIME OF PERFORMANCE OF THE CONTRACT WORK FROM APRIL 30, 2015 TO DECEMBER 31, 2016, TO PERFORM DESIGN SERVICES FOR THE ANTIOCH COURT PEDESTRIAN IMPROVEMENT PROJECT**

**WHEREAS**, on March 16, 2010, the City Council awarded a professional services contract to Urban Design Consulting Engineers for design and engineering services for an amount not-to-exceed one hundred and fifty thousand dollars (\$150,000.00), in accordance with Resolution No. 82616 C.M.S.; and

**WHEREAS**, Urban Design Consulting Engineers is a certified Small Local Business Enterprise (SLBE), and therefore complies with all Local Business Enterprise/Small Local Business Enterprise requirements; and

**WHEREAS**, Urban Design Consulting Engineers has been retained by the Montclair Village Association (MVA), a non-profit Business Improvement District serving businesses and customers in the Montclair District, to prepare a preliminary plan called the Antioch Court Pedestrian Improvement project, a community-initiated effort that began as early as 2002, when a group of citizens, artists, business owners and community leaders considered ways to improve the pedestrian experience in Montclair Village; and

**WHEREAS**, on July 18, 2013 the MVA made a presentation to the Bicycle and Pedestrian Advisory Committee (BPAC), and requested the BPAC to support future allocations of discretionary bike/pedestrian funds for the Antioch Court project; and

**WHEREAS**, at the March 2014 BPAC meeting, Antioch Court was identified as a project needing funds under the Pedestrian Master Plan Implementation program (Project No. C428310), and the Committee approved a request for \$90,000 in funds for final design; and

**WHEREAS**, Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires staff to conduct a competitive Request for Proposal/Qualification (RFP/Q) selection process for the procurement of professional services in excess of \$25,000.00; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.051.B permits the Council to waive the competitive RFP/Q competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, and the performance of the professional services in the contract is in the public interest because of economy or better performance; 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 Council hereby authorizes the City Administrator, or the designee, to amend the professional services contract with Urban Design Consulting Engineers to increase the contract by one hundred thousand dollars (\$100,000.00) from one hundred fifty thousand dollars (\$150,000.00) to a total amount not-to-exceed two hundred fifty thousand dollars (\$250,000.00), and waive the Request for Proposal (RFP) requirement for the final design of the Antioch Court Project; and be it

**FURTHER RESOLVED**, that is in the best interest of the City to waive the RFP requirement (per OMC Section 2.04.051 B) since Urban Design Consulting Engineers has already performed substantial design work for the Antioch Court Project on behalf of the MVA; and be it

**FURTHER RESOLVED**, that the contract be extended from April 30, 2015 to December 31, 2016; and be it

**FURTHER RESOLVED**, that the amendment to 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, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California