



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: G. Harold Duffey
Director, Oakland Public
Works

SUBJECT: Professional Service Agreements for
On-Call Landscape Architects

DATE: November 22, 2021

City Administrator Approval

Date:

Dec 7, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award and Execute A Series Of Professional Services Agreements For On-Call Landscape Architectural Services For A Period Of Four (4) Years With the Following Firms: 1) Bay Tree; 2) Bottomley Associates; 3) Community Design And Architecture; 4) Dillingham Associates; 5) Jett.; 6) Keller Mitchell; 7) Kimley Horn; 8) Mantle; 9) Merrill Morris Partners; 10) Meyer Studio Land Architects; 11) NCE; 12) PGA Design; 13) RHAA Landscape Architects; 14) Terrain Studio; 15) UDLA And 16) WRT, Each For An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).

EXECUTIVE SUMMARY

On-call professional services provide various architectural and engineering services to support the City's Capital Improvement Program (CIP). Services are necessary for projects to provide site surveys, site assessments, planning, programming, facilitating community meetings and other outreach or analysis, preparation of conceptual through construction design documents, regulatory permit applications, cost estimating, and construction support. The services address issues such as code requirements, Americans with Disabilities Act (ADA) compliance, and project scope needs. Staff utilizes these services for various projects such as parks, playgrounds, ball fields, and trails.

Approval of the proposed resolution will authorize the City Administrator to enter into professional services agreements for a period of four (4) years to provide on-call landscape architectural services to meet the above needs with each of the sixteen (16) firms stated above.

BACKGROUND / LEGISLATIVE HISTORY

Oakland Public Works (OPW), Project and Grant Management Division manages a variety of projects in support of the City's Capital Improvement Program. The recent passage of Measure KK Affordable Housing & Infrastructure Bond in 2016, as well as other grant and bond-funded sources, or other unscheduled projects that occur between budget cycles, have generated a

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need to develop an implementation plan, to deliver various capital improvement program projects in a timely and cost-effective manner. Since 2003, OPW has utilized on-call professional services contracts solicited through a competitive process in accordance with Oakland Municipal Code (OMC) Section 2.04.051. The services are utilized as projects arise and allow for expeditious contracting of required design/engineering services. It is anticipated that major capital improvement projects funded by capital improvement funds, bonds, and grants will utilize the on-call professional services. The agreements will significantly reduce the time and processes associated with selecting consultants on an individual project-by-project basis and thereby provide cost savings to the City. The City's previous round of on-call landscape architectural services agreements were approved in 2017. Those agreements expired August 31, 2020 and were renewed through April 30, 2021. All previously approved agreements have now expired.

To continue utilizing on-call professional services, the City issued a Request for Qualifications (RFQ) in May 2021 following OPW's Equity Initiative process, for on-call landscape architectural design services and recommends contracting with the proposed firms.

ANALYSIS AND POLICY ALTERNATIVES

The proposed resolution supports Citywide priorities of holistic community safety and building vibrant, sustainable infrastructure. The City relies on technical and design services to assist in the delivery of capital improvement projects which improve the public realm. The On-Call Landscape Architectural Professional Services contracts will provide the means for delivering technical support and project design in a timely and cost-effective manner. Approval of these contracts will reduce the staff time needed in selecting consultants for projects, thereby providing cost-savings to the City. The on-call contracts will improve Department efficiency by enabling staff to quickly respond to urgent and unforeseen demands such as developing design documents for grant proposals in a limited time that cannot be accomplished in an expedient manner by issuing an individual RFP. The contract capacity is developed based on usage of previous on-call contracts and anticipated demands for planned projects.

Over the past year, OPW Capital Contract Services staff, together with the Departments and Divisions who utilize on-call professional services, the Department of Race and Equity, and the 'Support Contracting Opportunities Committee' (SCOC) lead by Councilmember Loren Taylor, have endeavored to improve the process related to solicitation and utilization of on-call professional services contracts to achieve more equitable outcomes.

One notable change in procedure relates to the process of awarding 'task orders' for project work under the on-call contracts. All firms with an on-call contract that have contract capacity are solicited to provide proposals for project task orders. In the past, three or more firms were solicited.

For the current On-Call Landscape Architecture opportunity, the Department of Race and Equity was consulted to advise on the qualification evaluation process. As a result, individuals selected for inclusion on the evaluation panel represent diverse perspectives from the standpoint of both race and professional expertise related to the professional discipline being evaluated, and preference is given to individuals who have completed the City's Race and Equity training and/or are members of a Race and Equity Team.

On July 22, 2021, Capital Contract Services received a Statement of Qualification (SOQ) from seventeen (17) firms, all of which met or exceeded the City's 50% Local/Small Local Business Enterprise (L/SLBE) program participation requirements. All selected firms are required to be compliant with the City's Equal Benefits Ordinance. The Department of Workplace and Employment Standards, Contract Compliance Division has verified the L/SLBE information for each firm (see **Attachment A – Contract Compliance Memo**).

A panel comprised of two Oakland Parks, Recreation and Youth Development (OPRYD) staff members, and three OPW staff members from the Parks Services, Watershed and Project and Grant Management Divisions reviewed and ranked the proposals based on the quality and content of the proposals. The evaluation criteria for the selection included the following:

1. Relevant experience and strengths of the firm; demonstrated ability to deliver exceptional projects, particularly within the restraints of municipal or other public agency budgets and processes.
2. Prior experience and ability to work with City/public agency staff, community groups, and other stakeholders, and translating various requirements and interests into successful projects.
3. Specific experience of the firm to provide adept technical assistance, project management and quality assurance/quality control for a broad range of landscape architectural projects. Depth of staff and resources to deliver quality products on schedule, including work on short notice and under time constraints.
4. Firm's experience providing sustainable/resilient design solutions. Priority was given to Landscape Architects and Irrigation Consultants who have 'ReScape' aka. 'Bay-Friendly Certified' staff.

Of the received bids, sixteen (16) firms are recommended are well-qualified to provide on-call landscape architectural design services, have the technical expertise to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues involved in implementing public capital improvement projects. Five (5) of the sixteen firms are currently certified local or small local businesses, and all 16 firms will meet the City's Local/Small Local Business Enterprise (L/SLBE) program requirements and will be compliant with the City's Equal Benefits Ordinance prior to being issued a contract.

The on-call resources will provide support to a myriad of project types such as park improvements, park planning, grant preparation design, site improvements, streetscape project support, sports fields, tot lots, plaza improvements, trails and pathways, and urban greening projects, etc. The professional contracts will be utilized in the delivery of the capital improvement program. The availability of the professional services will continue to allow staff to respond swiftly and support community-initiated, public-private partnership projects which has historically ranged up to six (6) projects per year.

FISCAL IMPACT

The on-call landscape architectural design services will be required for projects funded by various capital improvement funds, bonds, and grants. As-needed professional services agreements will expedite the design of capital improvement projects. These projects may be funded from sources such as and not limited to Measure KK, Measure HH or Measure Q, federal, state and/or local grant funding. The time and costs necessary in selecting consultants on a project-by-project basis will be saved. A typical individual project solicitation, from advertisement, proposal review, interview, fee negotiation to contract award and execution, takes approximately one year. In contrast, an on-call solicitation for a similar project will take only 1-2 months. In addition, approval of these contracts will not result in the additional appropriation of funds. The services will be funded through appropriations by individual projects. Funds will be identified prior to the performance of the design services. Each agreement for consultants will be for an amount not to exceed \$750,000.00.

PUBLIC OUTREACH / INTEREST

For this professional services RFQ solicitation, OPW-Project & Grants Management Division (OPW-PGM) worked with OPW's Capital Contract Division (OPW-CCD) and the Department of Workplace and Employment Standards on performing public outreach through the enhanced notifications, legal ads, and pre-proposal meeting.

As part of the enhanced notification and the Capital Contract Equity Initiative for OPW, public outreach engagement includes outreach to professional organizations representing women-owned and African American-owned firms. Groups were identified in the 2019 Mason Tillman Disparity Study as firms not receiving a proportional amount of contracting dollars from the City of Oakland. Specifically, OPW-CCD shares notifications with an established disparity outreach list of local women-owned, African American, and other global majority associations such as the National Association of Women Business and Owners and the National Black Contractors Association of California.

In addition, notifications of solicitations were distributed by the City's iSupplier system, which was utilized to notify Oakland-certified local and non-local professional service providers (e.g., landscape architects, architects, engineers, contractors, and planning firms); regional trade and business groups, including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction Bidboard. Companies that register in iSupplier wait a few days before receiving access to review proposal requests in this system. If a company enters an industry code, they are being notified about projects with this code.

In addition to iSupplier and the established disparity outreach list, OPW-CCD also utilizes CIPList.com, a free, web-enabled site to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders' exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPList.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the RFQ was advertised on June 18, 2021. OPW-CCD included printed legal notices in the EastBay Times and Oakland Post. In addition, information about the project was published in El Mundo, Daily Pacific Builder, World Journal, and the Korea Times publications to supplement and ensure the information reaches Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) in Black, Indigenous, People of Color (BIPOC) communities with potential contractors/consultant.

OPW-CCD held an outreach/networking/pre-proposal meeting in partnership with the Workplace & Employment Standards Department and the Project Manager on July 1, 2021, with fourteen firms in attendance virtually and again on July 6, 2021, with ten firms in attendance. The meeting served a few purposes: to discuss with potential consultants how contracts are established with the City, to make the attendees aware of possible upcoming work, to allow for opportunities for consultants to network and partner on upcoming work, and to discuss the current RFP solicitation specifically.

Finally, upcoming projects and current projects accepting submissions are on our webpage. As part of our equity initiative, OPW-CCD will partner with the Business Assistance Center to identify grant funding to establish a Contract Assistance Center to help guide contractors with the City's contracting process.

COORDINATION

The work to be done under these contracts has been coordinated with appropriate divisions within the OPW and Department of Workplace and Employment Standards-Contract Compliance Division.

This report and the resolutions have been reviewed for form and legality by the Office of the City Attorney and have been reviewed by the Controller's Bureau.

The Department of Race and Equity was consulted to review and advise on the evaluation panel review process.

SUSTAINABLE OPPORTUNITIES

Economic: The consultants are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Department of Workplace and Employment Standards. 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: One factor in the selection of firms was their demonstrated experience providing sustainable/resilient design solutions. Priority was given to Landscape Architects and Irrigation Consultants who have 'ReScape' or 'Bay-Friendly Certified' staff. Consultants will be required to consider the use of recycled materials in the products specified and to integrate other environmental, waste reduction, and energy conservation opportunities.

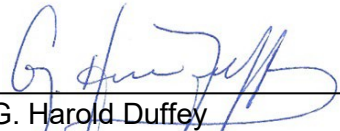
Race & Equity: The individuals selected for inclusion on the evaluation panel represent diverse perspectives from the standpoint of race and professional expertise related to the professional discipline being evaluated. One evaluation panelist is a representative of the Oakland Parks, Recreation and Youth Development (OPRYD) Department's Race and Equity Team, and the lead for the OPRYD Inclusion Program. Three of the panelists have completed all four modules of the Race and Equity Department's Advancing Racial Equity Training series. The proposed landscape architectural design services for capital improvement projects will reduce blight to neighborhoods and enhance various parks and facilities to support increased recreational opportunities. The resulting projects will comply with the Americans with Disabilities Act (ADA) and improve the enjoyment of our public spaces for all ages and abilities.

ACTION REQUESTED OF THE CITY COUNCIL

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For questions regarding this report, please contact Christine Reed, Capital Improvement Project Coordinator, at (510) 238-6540.

Respectfully submitted,



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Attachments (1):

A: Contract Compliance Analysis Memo, October 12, 2021

