



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** G. Harold Duffey  
Director Oakland Public  
Works

**SUBJECT:** On-Call Services Agreement  
Amendment for Murakami Nelson  
Architectural Corporation

**DATE:** September 7, 2022

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City Administrator Approval

Date: Sep 7, 2022

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## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution: 1) Waiving the Competitive Request For Proposal/Qualification (RFP/Q) Requirement And Increasing The On-Call Architectural Services Agreement With Murakami Nelson Architectural Corporation For The Brookfield Library and East Oakland Senior Center Capital Improvement Projects By An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To One Million Five Hundred Thousand Dollars (\$1,500,000.00); And 2) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.**

## **EXECUTIVE SUMMARY**

Approval of this resolution will authorize the City Administrator to execute an amendment to increase the On-Call Architectural Services Agreement with Murakami Nelson Architectural Corporation (Murakami Nelson) by an amount not-to-exceed \$1,000,000.00, bringing the total contract amount Murakami Nelson from \$500,000.00 to \$1,500,000.00.

The Brookfield Library Renovations and East Oakland Senior Center Renovations are independent capital improvement projects funded by [Measure KK](#) but are co-located in the same building, located at 9255 Edes Avenue in Council District 7. Murakami Nelson was hired in 2018 to provide full design and construction phase services for Brookfield Library, and due to the complexity of the expanded project scope, an amendment to Murakami Nelson's on-call contract is needed to complete the design and to carry the project through construction.

To advance the East Oakland Senior Center project, an amendment is also needed to provide full design services, construction support, and as-needed grant support. Murakami Nelson is best qualified to design the renovations for the senior center because of their understanding of the design challenges arising from building system interdependencies between the library and senior center. Murakami Nelson is best suited to ensure a cohesive design, to minimize project schedule delays, and develop phasing strategies to minimize impacts to building users during

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construction. Murakami Nelson is a minority-owned, Oakland-certified Small Local Business with a presence in Oakland since 1954.

## **BACKGROUND / LEGISLATIVE HISTORY**

The Brookfield Library and East Oakland Senior Center are independent capital projects both funded by Measure KK. They are co-located at 9255 Edes Ave in East Oakland in a building designed in 1990. While the library and senior center operate independently, the building was designed and constructed for economy as if it were a single building in terms of the overall site plan, building envelope, structural system, and utility infrastructure. There have been limited cosmetic improvements to the building since its construction. Renovations are necessary to extend its useful life and to accommodate the needs of the community and that of the Library and Human Services Departments that operate their respective facilities.

## **ANALYSIS AND POLICY ALTERNATIVES**

Murakami Nelson was hired through a competitive Request for Qualifications (RFQ) process in 2018 in accordance with the Oakland Municipal Code to provide On-Call Architectural Services. The firm was hired to provide design services for the Brookfield Library renovation through a subsequent competitive task assignment process. At the inception, the Brookfield Library scope of work consisted of interior layout changes to library's reading and circulation areas and has significantly expanded to include required accessible restroom and entry plaza/lobby renovations; comprehensive exterior upgrades (paint; siding, insulation and window replacements; roof repairs; site accessibility upgrades; landscaping); and various energy efficiency upgrades to meet the City's Equitable Climate Action Plan (ECAP) policy. The upgrades triggered by the ECAP policy consist of switching from gas to electric water heaters, the replacing the gas-fired mechanical system, and replacing the main electrical service to the building.

Because of the interdependent building systems serving both the library and senior center, Murakami Nelson prepared an in-depth building assessment report that examined the current conditions of the building's shared exterior and interior accessibility features; building envelope; and the structural, mechanical, plumbing, and electrical systems. The report found that the 1990s-era building has largely remained the same, and that improvements to the building envelope, replacement of mechanical equipment, replacement of main electrical service, and other building and code changes are needed to extend the useful life of the building.

As a result of the complexity of the expanded scope for the library project, an amendment to Murakami Nelson's On-Call Architectural Services agreement is necessary to carry the library project through construction and to advance the design and construction of the senior center project.

The project scope for East Oakland Senior Center Renovation includes replacement of the commercial kitchen and public restrooms; creation of an adult-changing room; roof leak repairs; new siding and insulation; accessibility improvements; and ECAP-related upgrades to the mechanical, electrical, and plumbing systems. The findings from the building assessment report

described above will allow for a shortened timeline for the senior center design phase. Given that major modifications to either the library or senior center create building-wide impacts, the most efficient manner to renovate the two facilities is to develop the design and perform the construction work simultaneously to the extent possible.

To move forward with design of the senior center renovations, it is recommended that Murakami Nelson be hired to provide design, construction support, and as-needed grant support services through an amendment to their On-Call Architectural Services agreement. Murakami Nelson is best qualified to provide design services for the East Oakland Senior Center because of their knowledge of the extensive building challenges gained by designing the Brookfield Library renovations. Because of the interdependencies of the library and senior center, Murakami Nelson is best suited to ensure a cohesive design, to minimize project schedule delays, and develop phasing strategies to minimize impacts to building users during construction. The consultant will be responsible for designing and coordinating crucial interdependent modifications to site and interior accessibility; the building envelope and structural system; mechanical, electrical, and plumbing systems; and ECAP-related improvements. Additionally, the consultant will be responsible for obtaining all planning department entitlements, building permits, and County health department permits.

Oakland Municipal Code (OMC) Section 2.04.051 A. requires a competitive request for proposals/qualifications (RFP/Q) proposal solicitation process. However, OMC Section 2.04.051 B. permits the Council to waive this RFP/Q requirement upon a finding and determination that it is in the best interests of the City to do so. As the consultant selection process in 2018 adhered to City's OMC for competitive process and the solicitation notice stated that the selected consultant team will provide planning through construction support services, the proposed amendment adheres to the original intent. To continue the services as originally specified and avoid any project disruption or delay to complete the scope outlined in the analysis above, staff recommend that it is in the City's best interest to waive the competitive RFP/Q requirement and amend the City's agreement with Murakami Nelson.

The amendment to Murakami Nelson's agreement supports the Citywide priority of **holistic community safety**. The library and senior center provide all residents with a place for respite and comfort on severe weather days. The library provides a safe place for children to gather after school and on weekends. The senior center serves as an essential food distribution site to local residents as well. The improvements to the library and senior center contribute to a **vibrant, sustainable infrastructure** by creating more welcoming exterior and interior spaces, improving the function and energy efficiency for user comfort, and upgrading and replacing critical building components to extend the useful life of the building.

### **FISCAL IMPACT**

The consultant contract amendment will be funded by Measure KK in the Fiscal Year 2021-23 Capital Improvement Program. The contract funding source is as follows:

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
<i>Brookfield Library:</i> Measure KK Fund (5335); Project (1003440); Capital Projects Organization (92270); Consultant Contract Account (54411); Award (23940); Program (IN06)	\$220,000.00
<i>East Oakland Senior Center:</i> Measure KK Fund (5335); Project (1004852); Capital Projects Organization (92270); Consultant Contract Account (54411); Award (23940); Program (IN06)	\$780,000.00

### **PUBLIC OUTREACH / INTEREST**

Public outreach was not conducted for this amendment to Murakami Nelson's On-Call Architectural Services agreement. Public outreach to award the On-Call master agreement was performed in 2018 in accordance with Oakland Public Work's standard process for professional services RFQ solicitations that involved OPW-Project & Grant Management Division (OPW-PGM), OPW's Capital Contract Division (OPW-CCD) and the Department of Workplace and Employment Standards (DWES) on performing public outreach through the enhanced notifications, legal ads, and pre-proposal meeting.

### **COORDINATION**

The 2018 On-Call master agreement solicitation process and award was coordinated with Oakland Public Library, DWES, the Budget Bureau, and appropriate divisions within OPW. Task assignments under the On-Call master agreement are coordinated with OPW-PGM, OPW-CCD, OPW-Fiscal, Finance-Purchasing Section; and DWES.

Changes to the consultant team listing and contract allocations resulting from this on-call amendment will be submitted to DWES for confirmation of compliance with the City's Local Business and Small Local Business Enterprise (L/SLBE) program. This report and the resolution have been reviewed for form and legality by the Office of the City Attorney.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The contract will provide economic opportunities for the consultant team's L/SLBE firms. The contract work 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 incorporate the City's environmental and sustainability design requirements and guidelines into the project. The design will comply with green building code requirements and the City's ECAP policy to reduce carbon emissions.

***Race & Equity:*** The proposed architectural services contract amendment will result in significant facility improvements to the HVAC system, quality of public spaces, and accessible features for all ages. The improvements will support the Brookfield Library and East Oakland Senior Center in providing services to Oakland residents and patrons of all ages, races and abilities that enhance the equitable disbursement of library and senior services, programs, staffing, facilities, technology, and resources in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout Oakland.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The project is exempt from CEQA pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (Minor Alterations to Land), and/or 15061(b)(3) (No Significant Effect on the Environment). Each of the above exemptions provides a separate and independent basis for CEQA compliance.

Along with the submittal of future grant applications submitted in connection with this resolution to support the design and construction of the library or senior center projects, the CEQA determination will be completed to meet grant requirements as well as during project implementation if funded.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That City Council Adopt A Resolution: 1) Waiving the Competitive Request For Proposal/Qualification (RFP/Q) Requirement And Increasing The On-Call Architectural Services Agreement With Murakami Nelson Architectural Corporation For The Brookfield Library and East Oakland Senior Center Capital Improvement Projects By An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To One Million Five Hundred Thousand Dollars (\$1,500,000.00); and 3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Calvin Hao, Project Manager, at (510) 238-7395.

Respectfully submitted,



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