



AGENDA REPORT

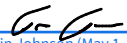
TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan, Director
Oakland Department of
Transportation

SUBJECT: Professional Services Contract
Amendment For Piedmont Pines
Phase II Undergrounding Project

DATE: April 4, 2024

City Administrator Approval


Jestin Johnson (May 1, 2024 22:08 PDT)

Date: May 1, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution 1) Amending The Professional Services Contract For The Piedmont Pines Utility Undergrounding Project, Phase II, (PROJECT #1000647) With Harris And Associates In An Amount Of Three-Hundred Thirty Thousand Dollars (\$330,00.00), For A Total Amount Not-To-Exceed Four Hundred Eleven Thousand, Six Hundred Thirteen Dollars (\$411,613.00); 2) Waiving The Competitive Request For Qualifications/Proposal Selection Requirement, And 3) Waiving Local Business Enterprise/Small Local Business Enterprise Program Requirements.

EXECUTIVE SUMMARY

Approval of this proposed resolution will authorize the City Administrator to extend the contract with Harris and Associates (Harris) for the Piedmont Pines Utility Undergrounding Project Phase II (Project). The Project is an ongoing utility undergrounding project approved by the City Council by Resolution No. 75652 on May 2, 2000 for which Harris was selected pursuant to a competitive bid process in 2016. Due to delays by Pacific Gas & Electric Company (PG&E), additional services are required. The amended professional services scope of work includes overall project management and coordination of the utility undergrounding project with PG&E and other involved utility companies, City staff, and community organizations. A detailed scope of work and tasks are included in Harris' proposal dated June 22, 2023 (see **Attachment A**). Extension of the contract includes waiving the competitive bidding and Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) requirements.

BACKGROUND / LEGISLATIVE HISTORY

The Underground Utility District No. 232 (Piedmont Pines District) was established by the City Council by Resolution No. 75652 C.M.S. on May 2, 2000. The area was large, and its total length was more than 14 miles. As such, the implementation of the undergrounding has been broken into phases. Phase I of the undergrounding project has been completed, and Phase II, the subject of this report and proposed resolution, is in the preliminary design phase. The Piedmont Pines District encompasses the area east of Highway 13, north of Mountaingate Way

and Castle Drive, west of Skyline Boulevard, and south of Shephard Canyon Road. The current phase (Phase II) includes Chelton Drive, Darnby Drive, and Carisbrook Drive.

The City Council approved a contract amendment with Harris Associates by [Resolution No. 88242 C.M.S.](#) on July 28, 2020, which increased the total contract amount to \$81,613.00. Staff is now requesting a second contract amendment, increasing the total to \$411,613.00 for additional services not previously foreseen.

ANALYSIS AND POLICY ALTERNATIVES

The proposed resolution advances the Citywide priorities of **holistic community safety** and **vibrant, sustainable infrastructure** by supporting the undergrounding of overhead utility lines in a fire hazard area.

In accordance with Oakland Municipal Code (OMC) 2.04.051(A) and the provisions of Administrative Instruction 150 for Professional Services Contracts, a Request For Proposal (RFP) for engineering services was issued in October 2016, seeking a firm most suitable for the proposed project. On November 29, 2016, Public Works Contract Services received one (1) proposal. The City Administrator's Office – Contracts and Compliance Division completed their analysis on December 5, 2016.

Evaluation of the bid was based on the following criteria:

1. Relevant experience and strengths of the firm; Demonstrated ability to deliver exceptional projects; Experience with preparing assessment engineering reports and particular challenges; Prior experience working with municipal agency budgets and processes.
2. Proven project management expertise and experience on similar size and complex utility undergrounding 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 questions; Unique resources/expertise relevant to the project; Demonstrated capacity to respond to all project requirements in a timely manner.

Based on the criteria, Harris was deemed to be the most qualified and responsive to the Request for Proposal (RFP) for the Piedmont Pines Utility Undergrounding Phase II preparation of the Assessment Engineer Report and professional services.

Staff negotiated the initial planning, design, and engineering scope of work for the Project with Harris, and a contract was executed for \$47,590.00 on June 22, 2017. Additional scope of services and tasks were identified during this initial process, and as a result, the City Council

approved the staff's request for the first contract amendment on July 28, 2020 for an additional \$34,023.00, through [Resolution No. 88242 C.M.S.](#) Due to delays by PG&E in implementing the project, additional services are required of the consultant to maintain communication and coordination with the Piedmont Pines Neighborhood Association (PPNA), city staff and other stakeholders. An additional budget in the amount of \$330,000.00 is now needed to complete additional tasks, including street lighting design, preparation of assessment notices to property owners, support with bond issuance, preparing and recording final assessment liens, meeting with the bond assessment team and other project staff, and engineering support during the construction of the project.

Waiver of Advertising and Competitive Bidding Requirement:

Section 2.04.051(A) of the OMC requires a competitive Request for Qualifications/Proposals (RFQ/P) selection process for the award of contracts for professional services over fifty thousand dollars (\$50,000.00) which are exempt from bidding under OMC subsection 2.04.050.1.1. OMC Section 2.04.051(B), however, permits the City Council to waive the competitive RFQ/P selection requirement upon finding that it is in the best interest of the City to do so.

Staff requests that the Council waive the RFQ/P competitive selection requirement because no other firms submitted proposals initially for work on the Project. No other firms submitted at that time, or when these services were vitally needed for the City's 20-A application to the California Public Utilities Commission (CPUC). Specifically, the City critically needed Harris to complete the Piedmont Pines Utility Undergrounding Phase II Engineering Assessment Report and revisions for the City's 20-A application for Piedmont Pines II. The City's 20-A application was ultimately approved by the CPUC due in part to the data and revised maps developed by Harris.

Staff recommends that the City Council adopt a resolution that finds and determines it is in the best interest of the City to waive the RFQ/P requirement and approve increasing Harris' contract amount by \$330,000.00 to \$411,613.00.

FISCAL IMPACT

There is no net fiscal impact to the City since the cost of the additional consultant work is an eligible project expense and will be recaptured with the future sale of a bond for the Project. However, the bond will not be issued until sometime before the construction of the undergrounding project, currently projected for Summer 2027; therefore, funds need to be identified now for upfront consultant costs.

A breakdown of the appropriated project design funding source is as follows:

FUNDING SOURCE	AMOUNT
Fund (2230); Street Lighting Management (35232); Miscellaneous Contract Services (54919); Project (1003469); Program (IN16)	\$330,000.00

PUBLIC OUTREACH / INTEREST

The RFP for the Project was advertised on October 14, 2016. Notifications were distributed by several means through:

- The City's *iSupplier* system, includes City certified engineering, and planning firms, registered professional services providers, and plan rooms and builder's exchanges.
- Posting on CIPlist.com, which distributes to registered plan rooms and builders' exchanges widely accessed and redistributed by other list serve business organizations that provide notice of RFQ/P opportunities to local firms.

COORDINATION

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

SUSTAINABLE OPPORTUNITIES

Economic – There are no significant economic opportunities associated with this report.

Environmental – There are no environmental opportunities associated with this report.


Race and Equity - No race and equity opportunities have been identified as the result of the proposed resolution to amend the professional services contract with Harris.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt a resolution 1) Amending The Professional Services Contract For The Piedmont Pines Utility Undergrounding Project, Phase II, (PROJECT #1000647) With Harris And Associates In An Amount Of Three-Hundred Thirty Thousand Dollars (\$330,00.00), For A Total Amount Not-To-Exceed Four Hundred Eleven Thousand, Six Hundred Thirteen Dollars (\$411,613.00); 2) Waiving The Competitive Request For Qualifications/Proposal Selection Requirement, and 3) Waiving Local Business Enterprise/Small Local Business Enterprise Program Requirements.

For questions regarding this report, please contact Wladimir Wlassowsky, Interim City Engineer, (510) 385-9225.

Respectfully submitted,


Josh Rowan (May 1, 2024 15:07 PDT)

JOSH ROWAN, Director
Oakland Department of Transportation

Prepared by:
Wladimir Wlassowsky, P.E.
Interim City Engineer
Department of Transportation

Attachments (1)

Attachment A: Amendment No. 2, Piedmont Pines Undergrounding