



CITY OF OAKLAND

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OAKLAND

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AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Fred Blackwell

SUBJECT: Davillier-Sloan Professional Services
Agreement Supplemental Report

DATE: September 13, 2012

City Administrator
Approval

Deanna Santana

Date

9/13/12

COUNCIL DISTRICT: 3

RECOMMENDATION

Staff recommends that the City Council authorize the City Administrator to enter into a professional services agreement with Davillier-Sloan, Inc. for an amount not-to-exceed \$95,000 to assist the City with the implementation of the Oakland Army Base Community Jobs Policy and Project Labor Agreement.

REASON FOR SUPPLEMENTAL

This is a supplemental report per the request of the Community and Economic Development Committee to provide additional information regarding the scope of work for the recommended Davillier-Sloan, Inc. professional services agreement, and to address the question of how the Army Base Project Labor Agreement differs from the Port's Maritime and Aviation Project Labor Agreement (MAPLA).

ANALYSIS

Staff purposely sought the services of a local consultant experienced in negotiating and implementing Project Labor Agreements and integrating the priorities of state and federal funding sources with local contracting and hiring requirements. Davillier-Sloan was the only respondent. The team was formed absent staff involvement and includes Mr. Jake Sloan, Mr. Julian Gross, and Mr. Joe Debro. Sixty-two (62%) of this proposed contract is going towards certified Small Local Business Enterprises: Davillier-Sloan, Inc. and Trans Bay Engineering.

Staff's assessment of the Consultant team is that it is eminently qualified to support the City in ensuring that the Community Jobs Policies and Project Labor Agreement are indeed tightly integrated and achieve the local hiring goals set forth in the Jobs Policies.

Scope of Work and Deliverables

The Davillier-Sloan (DSI) team approach to Community Benefits Program development will be carefully designed to address the identified needs of West Oakland and the wider community. In context of close integration between the Oakland Army Base Construction Jobs Policy and the related Project Labor Agreement (PLA), this proposed approach assumes certain and close

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working relationships between the DSI team, City staff, contractors, labor unions, and training programs. This approach will be based on team's extensive experience in negotiating and managing Project Labor/Stabilization Agreements that contain community benefits provisions. This experience includes but is not limited to: Alameda County, BART, the Oakland Unified School District, the Peralta Community College District and the Port of Oakland. This experience also includes working with related Community Based Organizations (CBOs) and the Building and Construction Trades Council of Alameda County. The approach will use the past experience to improve on the results that have been realized in past efforts.

Step 1(a): Meet with City staff and related consultants. The purpose of this meeting is to become intimately familiar with the planned work, schedule, objectives and restrictions that will be covered under the PLA and the Construction Jobs Policy.

Step 1(b): Review the Construction Jobs Policy which contains certain hiring and employment requirements for the construction of improvements on the former Oakland Army Base.

Step 1(c): Review the Project Labor Agreement negotiated with the Building and Construction Trades Council of Alameda County.

Step 1(d): Review and assess other existing Community Benefits/PLAs, which could provide additional direction for Community Benefits.

Deliverable: Based on findings during step 1, DSI team will complete a preliminary assessment and submit recommendations to the City on how to maximize the potential benefits, informed by the Construction Jobs Policy. DSI will prepare for approval a presentation to be made during Steps 2 and 3 below.

Step 2: Meet with CBOs and related stakeholders. This meeting may include but not be limited to the West Oakland Community Advisory Group, Revive Oakland, Oakland WORKS, Allen Temple J Alfred Smith Training Center, Cypress Mandela, Women In Skilled Trades Pre-Apprenticeship Program, Men of Valor Program, TradesWomen Inc., Youth Employment Partnership (YEP), Workforce Collaborative and other interested CBOs. The purpose of this meeting would be to deliver comprehensive information about the project and the several integrated agreements, to obtain feedback and identify implementation issues driven by community concerns, and to generally assist the network of CBOs in preparing to maximize the economic benefits from the Army Base development.

Step 3: Meet with local contractors and suppliers. The purpose of this meeting, as with the CBO meeting, is to communicate nuts and bolts of the Army Base project and the relevant agreements and programs, to identify concerns, and to help businesses prepare to take advantage of opportunities. DSI will provide the City with detailed information regarding efforts that can

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support the local business community in using the Army Base project as a stepping stone to sustainable growth.

Step 4: Review and assess how any federal and state funding agencies contracting and hiring policies could potentially impact approach of Agreement.

Deliverable: From these meetings and assessments, DSI team will make written recommendations on implementation of the Community Benefits Program and approach that contains lessons learned from Steps 1 through 4, aimed at maximizing community benefits for West Oakland and the wider community. The approach recommended will be focused on two-way communication, collaborative problem-solving, proactive assistance, and effective real time monitoring and enforcement.

Step 5: Implementation. The DSI team will assist the City in implementation of community benefits elements of the Army Base project, as set forth in the various Jobs Policies and the PLA, including advice on monitoring and oversight.

Deliverable: The DSI team will have ongoing engagement with the broad range of project stakeholders, aiming to maintain consensus, open communication, and positive relationships during implementation phases. The complex slate of community benefits negotiated in the Army Base LDDA and the PLA – governing both construction and operations of the project—requires thorough, sustained attention to multiple stakeholders and in interpretation and implementation of multiple agreements. The DSI team will work with various City staff and stakeholders to ensure that the potential of this development is realized.

Comparison to MAPLA

The Army Base Project Labor Agreement (PLA) has a pre-existing Community Jobs Policies which governs the terms of the Agreement. The stakeholder process that resulted in the Community Jobs Policies has broad-based support from each of the key sectors: City, Community, Developer, and Labor.

Through the Army Base Jobs Working Group process, the Building and Construction Trades Council of Alameda County has agreed to abide by the Army Base Community Jobs Policies. The Developer overseeing the horizontal construction phase of the project, California Capital Investment Group, is completely committed to complying with and supporting the Community Jobs Policies and PLA. Contractors interested in performing work on the Army Base will be pre-qualified to ensure that they are aware of and agree to comply with the local hiring requirements in the Jobs Policies.

The Jobs Working Group process also created a strong role for the Community to support and monitor the local hiring requirements in the Jobs Policies and the PLA through the West Oakland Jobs Center. In addition, the City, through the Cooperation Agreement with community

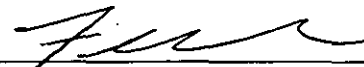
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stakeholders and labor, is legally bound to enforce compliance with the terms of the Community Jobs Policies and the PLA.

Finally, the Army Base PLA and the Jobs Policies governing it apply to Oakland residents only, whereas the Local Impact Area for the MAPLA included Alameda, Emeryville and San Leandro.

For questions regarding this report, please contact Al Auletta, Army Base Program Manager, at 510-238-3752.

Respectfully submitted,



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Assistant City Administrator

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Office of Neighborhood Investment