



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: G. Harold Duffey
Director, Oakland Public
Works

SUBJECT: Professional Services Agreement
Amendment for Shah Kawasaki
Architects

DATE: November 28, 2022

City Administrator Approval

Date: Nov 30, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution: 1) Amending The Existing Professional Services Agreement With Shah Kawasaki Architects for the Lincoln Recreation Center Expansion/Renovation Project By An Amount Not-To-Exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00), Bringing The Total Contract Amount From One Million Five Hundred Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$1,528,849.00) To Three Million Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$3,028,849.00); 2) Waiving The Request For Proposal Competitive Selection Requirement; And 3) 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 professional services agreement with Shah Kawasaki Architects (SKA) for architectural services for the Lincoln Recreation Center Expansion/Renovation Project (Project) by an amount not-to-exceed \$1,500,000.00, bringing the total contract amount from \$1,528,849.00 to \$3,028,849.00.

The Project, located at 250 10th Street in Council District 2, was prioritized and adopted through the Capital Improvement Program Budget process for the Fiscal Year 2019-2021. It is funded by [Measure KK](#) and the Statewide Park Program Grant (herein referred to as Prop 68).

In October 2021, based on collective effort and collaboration between the community and the Project Advisory Committee, the City of Oakland (City) recognized the need to upgrade the center as the resiliency center. This amendment to the professional services agreement with SKA is expected to complete the full design, to carry the project through construction, and provide as-needed grant support services to upgrade the Lincoln Recreation Center as both the community recreation center and the city first resiliency center.

City Council
December 6, 2022

BACKGROUND / LEGISLATIVE HISTORY

The Lincoln Recreation Center Expansion/Renovation Project was awarded to SKA through Resolution No. 88541 C.M.S., which only authorized up to ninety-five percent (95%) design services. Lincoln Recreation Center was designed and built in late 1970s. There have been limited improvements to the building since its construction.

SKA was hired through a competitive Request for Proposal (RFP) process in 2020 in accordance with the Oakland Municipal Code to provide Professional Architectural Services. SKA was hired to provide up to ninety-five percent (95%) design services to expand and modernize the small, outdated recreation center to accommodate programming needs of the community for present and future use. The original scope of work for the Project consisted of expanding and renovating the existing nine thousand square feet recreation center to eleven thousand square feet facility.

During the community engagement phase, the Project Advisory Committee identified as a high community priority that the recreation center should also be designed to function as a resiliency center. Due to the high use of the center as a temporary resiliency center during the pandemic, it was requested that the Project design scope be modified to serve as both a recreation center and a resiliency center. This change supports many strategies of the City's 2030 Equitable Climate Action Plan (ECAP) by responding to the needs of the community and supports the ECAP's action items A-1, B-5 and A-2.

ANALYSIS AND POLICY ALTERNATIVES

To complete the Project design to all the Lincoln Recreation Center to serve as both a recreation center and resiliency center, additional design services is required. An amendment to SKA's professional services agreement is necessary to provide complete design services, construction support services, and provide as-needed grant support services to seek additional grant funding.

The addition of the resiliency center function to the Lincoln Recreation Center significantly increases the original scope of expansion from eleven thousand square feet to the new scope of twenty-two thousand square feet. The additional Project scope to be added includes rooftop solar panels, on-site battery storage, "Clean Air" – heating, ventilation, and cooling systems, and storage capacity for refrigerated medicine. In addition, as-needed grant support is added to the consultant scope of work to assist the City to seek future grant for the project which supports ECAP's action items A-1, A-2 and B-5. With the previously approved amount under Resolution No. 88541, SKA's professional services contract capacity is insufficient to complete the additional scope of work.

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. The consultant selection process in 2020 adhered to City's OMC for competitive process, and Resolution No. 88541

C.M.S. stated that SKA will provide design services for the Lincoln Recreation Center and will comply with the compliance with the City's Local Business and Small Local Business Enterprise (L/SLBE) program. The additional scope is aligned with the original objective of upgrading the Lincoln Recreation Center. To continue the design services started since 2021 and to avoid any project disruption or delay to complete the scope outlined in the analysis above, staff recommends that it is in the City's best interest to waive the competitive RFP/Q requirement and increasing the professional services agreement with SKA for the Lincoln Recreation Center Expansion/Renovation Project.

The amendment to SKA's professional services agreement supports the Citywide priority of **holistic community safety**. Lincoln Recreation Center provides all residents with a place for respite and comfort on severe weather days. It also provides a safe place for children to gather after school and on weekends along with serving as an essential food distribution site to minors throughout summer. The Project would also 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 critical building components.

FISCAL IMPACT

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

FUNDING SOURCE	AMOUNT
<i>Lincoln Recreation Center Expansion/Renovation:</i> Measure KK Fund (5335); Project (1004857); Capital Projects Organization (92270); Consultant Contract Account (54411); Award (23940); Program (IN06)	\$1,500,000.00

PUBLIC OUTREACH / INTEREST

Public outreach was not conducted for this amendment to SKA's professional services agreement. Public outreach to award the Professional Services agreement was performed in 2020 in accordance with the Oakland Public Works (OPW) standard process for professional services RFP 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 professional services agreement solicitation process and award in 2020 was coordinated with Oakland Parks Recreation and Youth Development, DWES, the Budget Bureau, and appropriate divisions within OPW.

Changes to the consultant team listing and contract allocations resulting from this amendment to the professional services agreement will be submitted to DWES for confirmation of compliance with the City's 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: As part of the City's policies and mandates, all capital projects for implementation must meet various environmental and sustainable programs such as Green Building Ordinance, Bay Friendly Landscaping, Climate Action objectives, etc. The projects will be implemented according to various City programs to protect and conserve natural resources, address climate change impacts, build resiliency, and improve the community in a positive way. This project supports the ECAP's action item A-1, which states, "By 2025, partner with established community resilience groups to co-develop and pilot three Resilience Hubs: community serving facilities that support residents year-round and support resource distribution and onsite services before, during, or after a natural hazard event." This project also supports the ECAP's goals for building electrification at City facilities (ECAP's action item B-5) and enhancing community energy resilience with on-site renewable energy (EAP's action item A-2).

Race & Equity: The Lincoln Square Park Recreation Center project was prioritized and adopted through the Capital Improvement Program Budget process for the Fiscal Year 2019-2021. The [Oakland Equity Map](#) shows that the project site is in one of the Highest Priority Neighborhoods. The proposed contract amendment for SKA will enable significant facility improvements to the HVAC system, quality of public spaces, and accessible features for all ages. The improvements will support the Lincoln Recreation Center in providing services to Oakland residents and patrons of all ages, races and abilities that enhance the equitable disbursement of recreational services, programs, staffing, facilities, and resources in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout the City.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The amendment to the professional services agreement 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. This proposed amendment is also exempt under CEQA, Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(4) and (5), as they involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is

also an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment.

Along with the submittal of future grant applications submitted in connection with this resolution to support the design and construction of the recreation center, 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 The City Council Adopt A Resolution: 1) Amending The Existing Professional Services Agreement With Shah Kawasaki Architects for the Lincoln Recreation Center Expansion/Renovation Project By An Amount Not-To-Exceed One Million Five Thousand Dollars (\$1,500,000.00), Bringing The Total Contract Amount From One Million Five Hundred Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$1,528,849.00) To Three Million Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$3,028,849.00); 2) Waiving The Request For Proposal Competitive Selection Requirement; And 3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Henry Choi, Project Manager, at (510) 238-3340.

Respectfully submitted,



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