


OAKLAND CITY COUNCIL


Celso Ortiz (Jur 17, 2024.16.26 POT)
City Attorney

RESOLUTION No. 90342 C.M.S.

Introduced by Council member _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) APPLY FOR AND ACCEPT \$80,000.00 IN PAVEMENT MANAGEMENT TECHNICAL ASSISTANCE PROGRAM (P-TAP) GRANT FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION; 2) ALLOCATE \$150,000.00 IN MATCHING FUNDS AND FOR ADDITIONAL PROFESSIONAL SERVICES; AND 3) EXECUTE AN AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES TO IMPLEMENT THE PROJECT IN AN AMOUNT NOT-TO-EXCEED \$230,000.00; AND (4) WAIVE THE REQUEST FOR PROPOSAL/QUALIFICATIONS COMPETITIVE SELECTION REQUIREMENT AS THE CONTRACT WAS AWARDED THROUGH A COMPETITIVE SELECTION PROCESS LED BY ANOTHER PUBLIC AGENCY

WHEREAS, the Moving Ahead for Progress Act for the 21st Century (MAP 21) (Public Law 112-141, July 6, 2012) and the Surface Transportation Program (23 U.S.C. § 133) provides funding for street improvements work; and

WHEREAS, the Pavement Technical Assistance Program (P-TAP) provision of MAP 21 provides funding for consulting services to assist local jurisdictions with implementation of their pavement management systems; and

WHEREAS, pursuant to MAP 21, and the regulations promulgated there under, eligible project sponsors wishing to receive Surface Transportation Program P-TAP grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Pavement Technical Assistance Program (P-TAP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the San Francisco Bay region; and

WHEREAS, the Metropolitan Transportation Commission (MTC) retains consulting firms selected through a competitive process to service the P-TAP; and

WHEREAS, the City of Oakland has been selected to receive the Surface Transportation Program P-TAP grant; and

WHEREAS, this grant is intended for P-TAP consultant services to assist project sponsors in implementing and maintaining their pavement management systems; and

WHEREAS, the maximum grant amount for P-TAP Round 25 is \$80,000.00 per jurisdiction, which requires a 20% local match (\$20,000.00); and

WHEREAS the \$100,000.00 total grant amount is not enough to fund the inspection of the City's entire pavement network so therefore staff request the Council to allocate additional City funds to pay for consultant services from MTC's consultant Adhara Systems in the amount of \$130,000 to inspect the complete system of approximately 830 miles of streets in Oakland; and

WHEREAS these additional consultant services will enable the City to update its entire pavement management data system, ensure data uniformity and consistency throughout Oakland and the region, as required by MTC.

WHEREAS, MTC requires the allocation of \$20,000.00 in matching funds; and the City of Oakland requests to add \$130,000.00 for additional professional services from an existing project; and that the sponsor understands that the Surface Transportation Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program funds; and the sponsor must complete the project by April 30, 2025; and

WHEREAS, the local funds of \$20,000.00 and \$130,000.000 available from State Gas Tax (Fund 2230); Project 1005420, and

WHEREAS, Oakland Municipal Code ("OMC") section 2.04.051 A requires that the City conduct a competitive Request For Qualifications/Proposals ("RFQ/P") selection process for the award of professional contracts that exceed \$50,000 and are exempt from bidding under OMC section 2.04.050.1.1; and

WHEREAS, pursuant to OMC section 2.04.051 B, the City Council may waive the City's RFQ/P requirement upon recommendation by the City Administrator and a finding and determination by the City Council that it is in the City's best interests to do so; and

WHEREAS, the City Administrator recommends that City Council waive the City's RFQ/P competitive selection requirement and award a professional services agreement to Adhara Systems MTC's contractor, based on MTC's established competitive selection process; and

WHEREAS, the MTC requires as a condition of the grant award that the letter agreement for additional P-TAP 25 Services be attested by the City; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland authorizes the City Administrator, to apply for \$80,000.00 in Pavement Management Technical Assistance Program (P-TAP) Grant Funds from the Metropolitan Transportation Commission, allocate \$20,000.00 in matching funds and an additional \$130,000.00 for additional consultant services; and enter into an agreement

with the Metropolitan Transportation Commission to provide professional services in an amount not-to-exceed \$230,000.00 and be it

FURTHER RESOLVED: That the City Council authorizes the City of Oakland to allocate \$20,000.00 in matching funds and an additional \$130,000.00 from existing State Gas Tax (Fund 2230); Project 1005420; and be it

FURTHER RESOLVED: That for the reasons articulated by the City Administrator herein, and in the staff report that accompanies this Resolution, the City Council finds and determines that it is in the City's best interest to waive and hereby waives the RFQ/P competitive selection requirement for the award of a contract to Adhara Systems under the direction of the Metropolitan Transportation Commission in the amount of \$150,000; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to negotiate and enter into an agreement with Metropolitan Transportation Commission for their consultant Adhara Systems to provide professional services for an amount not-to-exceed \$230,000.00; and be it

FURTHER RESOLVED: That the Surface Transportation Program P-TAP funding for the project is fixed (\$80,000.00), that any cost increases must be funded by the City of Oakland from matching funds, and that the City of Oakland does not expect any cost increases to be funded with Surface Transportation Program funds; and be it

FURTHER RESOLVED: That a copy of this resolution will be transmitted to the MTC and that the MTC is hereby requested to fund and execute, and administer the project described in the resolution, if approved by MTC; and be it

FURTHER RESOLVED: That this resolution has been approved by the Office of the City Attorney as to form and legality, and a copy is on file in the Office of the City Clerk.

JUL 2 2024

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

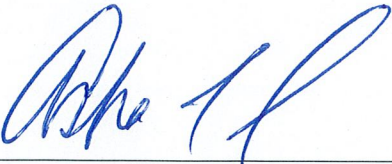
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, REID, RAMACHANDRAN AND
~~PRESIDENT FORTUNATO DAS~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Bas

ATTEST: 
ASHA REED
City Clerk and Clerk of the Council
of the City of Oakland, California