



CITY OF OAKLAND

AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Fred Kelley, Director
Oakland Department of
Transportation

SUBJECT: 73rd Avenue Active Connections to
Transit Project Professional Services

DATE: August 22, 2022

City Administrator Approval

Date: Sep 7, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Kimley-Horn For An Amount Not-To-Exceed Two Million Five Hundred Forty-Nine Thousand Six Hundred And Twenty Dollars (\$2,549,620.00) To Provide Engineering Services For The 73RD Avenue Active Connections To Transit Project; And Adopting Appropriate California Environmental Quality Act Findings.

EXECUTIVE SUMMARY

The 73rd Avenue Active Connections to Transit Project (Project) will implement pedestrian, bicycle, and transit enhancements that aim to improve connections between the Eastmont Transit Center, International Boulevard Bus Rapid Transit (BRT), Coliseum Bay Area Rapid Transit (BART) station, and Coliseum Amtrak station.

Approval of the proposed resolution will authorize the City Administrator to enter into a professional services agreement with Kimley-Horn to provide engineering services for the Project. The services include development of design plans and engineering support during construction for an amount not-to-exceed two million five hundred forty-nine thousand six hundred and twenty dollars (\$2,549,620.00); and adopting appropriate California Environmental Quality Act findings.

BACKGROUND / LEGISLATIVE HISTORY

The Project is one of the priority projects in the City's adopted Fiscal Year 2021-2023 Capital Improvement Program (CIP). Every two years, the City develops the CIP to guide the City in decisions regarding improvements of City's assets.

The 73rd Avenue corridor connects three major transit hubs in East Oakland – the Eastmont Transit Center, the International BRT Corridor, and the Coliseum BART/AMTRAK Station. Currently, the corridor has painted Class II bike lanes for most of the corridor. These bike lanes

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are directly adjacent to fast moving vehicles and mix with right-turning vehicles at major intersections like Bancroft and International.

The 2019 Let's Bike Oakland Bike Plan Update (2019 Bike Plan) identified 73rd Avenue as a key corridor for bicycle infrastructure upgrades to connect the three transit hubs with a safe and connected bicycle facility that provided more separation from vehicle traffic. The plan's statistically significant survey on biking behavior found that 82% of Central East Oakland residents see aggressive drivers as a barrier to biking, indicating why the existing bike lanes do not work for the safety needs of residents in Disadvantaged Communities. These communities are determined by balancing dozens of factors to seek the state's most vulnerable communities, including everything from hazardous waste and average birth weight to linguistic isolation and housing burden. Nearly half of Central East Oakland respondents identified as "interested but concerned" riders and 64% said they would drive less if biking in Oakland was safer, suggesting a greater need for low stress bikeways. This input influenced the proposed design of this facility, which provides a buffer space between the bike lane and vehicle travel lanes, raised transit islands and protected intersections at Bancroft and International to separate vehicle and bike movements.

Finally, community members were engaged through the ongoing East Oakland Mobility Action Plan (EOMAP), which seeks to acknowledge East Oakland mobility needs and identify and prioritize transportation policies, projects, and programs that respond to them. The EOMAP process built on the public input and design recommendations of the 2019 Bike Plan. Several public outreach events were held to refine the design elements on 73rd Avenue and other East Oakland corridors. Through this community-driven process, stakeholders highlighted the need for safety improvements, such as more high-visibility crosswalks.

ANALYSIS AND POLICY ALTERNATIVES

The Project aims to provide safer pedestrian and bicycle facilities, increase mobility, enhance transit reliability, decrease automobile dependency, and improve access for disadvantaged communities in East Oakland. The Project will provide buffered bicycle lanes on 73rd Avenue from MacArthur Boulevard to International Boulevard, and a bicycle facility will be identified and provided between International Boulevard to Coliseum BART Station. Other improvements include transit island, sidewalk extensions, geometric improvements, protected intersections, high visibility crosswalks, accessible curb ramps, Rectangular Flashing Beacons, and signal modifications.

Adoption of the proposed resolution will allow the City to move forward with implementing the 73rd Avenue Active Connections to Transit Project and advancing four Citywide priorities: (1) **housing, economic, and cultural security**; (2) **vibrant, sustainable infrastructure**; (3) **holistic community safety**, and 4) **responsive, trustworthy government**.

1. **Housing, Economic, and Cultural Security:** Many Oaklanders cannot afford access to an automobile. Walking, bicycling, riding a scooter, and taking the bus are often cost-effective means of travel. However, a lack of safe, attractive, and comfortable facilities may dissuade people from walking, biking, riding a scooter or taking the bus. After

Project completion, people of varying bicycle abilities and transit riders will be able to ride and use the in improved bicycle and transit facilities.

2. **Vibrant and Sustainable Infrastructure:** The 73rd Avenue corridor connects three major transit hubs in East Oakland – the Eastmont Transit Center, the International BRT Corridor, and the Coliseum BART/AMTRAK Station. This Project invests in bicycle and transit infrastructures to ensure Oaklanders have high-quality, sustainable transportation choices. The net improvement in access, particularly via the space-efficient modes of walking, cycling and public transit, will support the economic vibrancy of East Oakland.
3. **Holistic Community Safety:** 73rd is a multi-modal high-injury corridor. This Project helps solve an immediate and pressing safety need.
4. **Responsive, Trustworthy Government:** In response to discussions with community members, the Oakland Department of Transportation (OakDOT) listened and took strides to answer their concerns related to this Project.

In accordance with Oakland Municipal Code (OMC) 2.04.051 and the provisions of the Administrative Instruction 150 for Professional Services Contracts, OakDOT issued a Request for Proposals (RFP) for design and engineering services for the project on October 8, 2021, seeking a consultant team most suitable for the proposed project. On November 18, 2021, Capital Contracts Division received two (2) proposals from the following teams:

- Kimley-Horn
- BKF Engineers.

A panel of four (4) professionals comprised of staff members from OakDOT's Complete Streets Design and Great Streets Planning Sections evaluated the proposals. The panelist represented a diversity of race and ethnicity, gender, and professional expertise. The panel scored and ranked the two (2) proposals based on the following criteria set forth in the RFP:

- Approach to deliver and understanding of the Project
- Technical competence
- Project management and communication approach
- Capacity and capability
- Personnel qualifications
- Past record of performance
- Quality assurance and quality control
- Cost proposal details
- Local and small local business preference points

Kimley-Horn was selected as the consultant team. They demonstrated deeper understanding of the project scope and have the experience and knowledge in designing complete street improvement projects. Kimley-Horn is the only firm that exceeds the minimum Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) program requirements.

Kimley-Horn submitted Schedule E with sixty-eight-point eighty-six percent (68.86%) Local Business Enterprise and twenty-five point seventy-six percent (25.76%) for Small Local

Business Enterprise for a total of ninety-four point sixty-two percent (94.62%) credited LBE/SLBE participation. Kimley-Horn is Equal Benefits Ordinance (EBO) compliant. Compliance information has been verified by the Workplace and Employment Standards Department (**Attachment A**).

Staff negotiated the proposed scope of work and fee with Kimley-Horn. Upon completion of negotiation, the contract is in the amount of two million five hundred forty-nine thousand six hundred twenty dollars (\$2,549,620.00).

The Project is anticipated to begin this fall, and the design to be completed in 2024.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This project is exempt from CEQA pursuant to Public Resources Code Section 21080.25(b)(1) (pedestrian and bicycle facilities, including new facilities) and Public Resources Code Section 21080.20.5(a) (restriping of streets for bicycle lanes). The project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 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.

FISCAL IMPACT

The professional services agreement will be funded through Measure KK (Fund 5335), Complete Street Design Organization (35212), 73rd Avenue Active Connections to Transit Project (1006119).

PUBLIC OUTREACH / INTEREST

Staff provided notice to labor representatives, per the terms and conditions of the current Memorandums of Understanding with the International Federation of Professional & Technical Engineers (IFPTE) Local 21, Service Employees International Union (SEIU) 1021 and International Brotherhood of Electrical Workers (IBEW) 1245 prior to the formal issuance of the RFP. Finally, staff also presented on the contract opportunities at a contracting opportunities workshop in August 2021, co-hosted by the City Administrator's Office and the Oakland African American Chamber of Commerce.

Public Outreach is part of the Capital Contract Equity Initiative for OakDOT. For this professional services RFP solicitation, DOT-Great Streets Delivery Division (DOT-GSD) worked with Oakland Public Works – Contract Compliance Division (OPW-CCD) and the Department of Workplace and Employment Standards (DWES) on performing public outreach through legal ads, enhanced notifications, and pre-proposal meetings.

Notifications of solicitation were distributed by several means. The first mean was the City's iSupplier system, which was utilized to notify Oakland-certified local and non-local professional service providers (e.g., landscape architects, architects, engineers, contractors, and planning firms); regional trade and business groups, including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction eBidboard. Companies that register in iSupplier wait a few days before receiving access to review proposal requests in this system. If a company enters a North American Industry Classification System, or NAICS code, they are notified about associated opportunities.

In addition to iSupplier and the established disparity outreach list, OPW-CCD also utilizes CIPLIST.com, a free, web-enabled site to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders' exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPLIST.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the RFP was advertised on October 8, 2021. OPW-CCD included printed legal notices in the EastBay Times and Oakland Post. In addition, information about the RFP was published in El Mundo, World Journal, and the Korea Times publications to supplement and ensure the information reaches LBE/SLBE in Black, Indigenous, People of Color (BIPOC) communities with potential contractors/consultants. The RFP was also sent to subscribers of Active Campaign with over 4,000 recipients.

OPW-CCD held a pre-proposal meeting in partnership with the Workplace & Employment Standards Department and the Project Manager on October 21, 2021, with nineteen persons in attendance virtually. The meeting served a few purposes: to discuss with potential consultants how contracts are established with the City, to make the attendees aware of possible upcoming work, to allow for opportunities for consultants to network and partner on upcoming work, and to discuss the current RFP solicitation specifically.

COORDINATION

The Office of the City Attorney, Department of Workplace and Employment Standards, and the Budget Bureau have reviewed this report and resolution.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Kimley-Horn, a 20 years local Oakland firm, has a proven track record of successfully delivering municipal and public complete streets improvement projects throughout the Bay Area, including Latham Square Pedestrian Plaza Project, Broadway Transit and Pedestrian Improvement Project, and Lakeside Green Streets Project in Oakland.

SUSTAINABLE OPPORTUNITIES

Economic: This Project enhances transportation infrastructure for alternative modes of transportation and provides a viable connection to the Coliseum BART station. The consultant is verified for LBE/SLBE participation by the Workplace and Employment Standards Department. The project 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 project and will benefit directly.

Environmental: The consultant will be required to incorporate the City's environmental and sustainability design requirements and guidelines into the project, including the new Equitable Climate Action Plan (ECAP), which will continue to support the City's objective for a sustainable Oakland. As the design proceeds, consideration to address City and Community resiliency will also be reviewed and implemented where applicable.

Race & Equity: The Project will improve local pedestrian and bicycle connection for East Oakland residents to and from Eastmont Transit Center, International BRT, Coliseum BART station, Coliseum Amtrak station, Bay Trail, and East Bay Greenway. The Project will serve residents who are currently in high to highest Priority Neighborhoods as identified in the OakDOT Geographic Equity Toolbox. The Project will demonstrate an equity-driven approach to transportation planning and community engagement. The Project will support Oakland and State goals to increase mobility, decrease automobile dependency, increase transit connections, improve air quality, and improve access for high disadvantaged communities in East Oakland.

ACTION REQUESTED OF THE CITY COUNCIL

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For questions regarding this report, please contact Jay Zhang, Civil Engineer at (510) 238-2943.

Respectfully submitted,



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Complete Streets Design Section

Prepared by:

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Complete Streets Design Section

Attachments (1):

A: Contract Compliance Analysis Memo