



# AGENDA REPORT

**TO:** Steven Falk  
Interim City Administrator

**FROM:** Tony Batalla  
Director, IT Department

**SUBJECT:** Kimley-Horn Last-Mile Broadband  
Planning Project

**DATE:** April 25, 2023

City Administrator Approval

Date: May 9, 2023

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution (1) Awarding A Professional Services Agreement To Kimley-Horn For An Amount Not To-Exceed Five Hundred Thousand Dollars (\$500,000.00) To Provide Broadband Consulting For The Oakland Broadband Last-Mile Connectivity Planning & Design Project; And (2) Waiving The City's Multi-Step Proposal Solicitation And Local Business Program Utilization Requirements.**

## **EXECUTIVE SUMMARY**

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to enter into an agreement in a amount not to exceed five hundred thousand dollars (\$500,000.00) with Kimley-Horn to provide broadband consulting for the Oakland Broadband Last-Mile Connectivity Planning & Design Project; and waiving the City's multi-step proposal solicitation and Local Business Program utilization requirements.

## **BACKGROUND / LEGISLATIVE HISTORY**

In December 2022, the City Council authorized the acceptance of a \$500,000 technical assistance grant from the California Public Utilities Commission (CPUC) to fully reimburse the cost of a Last-Mile Broadband Connectivity Planning & Design Project ("Project"). City Council approval for this project needed in order to implement and utilize the CPUC grant funding.

The City of Oakland will work with Kimley-Horn to

- (1) update the 2019 Fiber Optic Master Plan and develop a Wireless Overlay Plan,
- (2) work with last-mile service providers to develop a Rooftop and Fiber Master License Agreements for utilizing City-owned infrastructure in public-private partnerships,
- (3) conduct a needs assessment to understand gaps in last-mile connectivity with a focus on Multi-Tenant Environments (MTEs), and
- (4) plan and design last-mile broadband infrastructure projects for priority underserved areas.

## **ANALYSIS AND POLICY ALTERNATIVES**

The City of Oakland will work with Kimley Horn to plan and design projects to deploy and leverage fiber optic and wireless infrastructure to provide affordable, high-speed internet access to un/underserved areas of Oakland.

The project will build upon the City's ongoing initiatives to improve equitable access to and adoption of high-speed broadband, including efforts to bring together the Oakland Unified School District, Oakland Housing Authority, and other key stakeholders to assess needs and address barriers to highspeed broadband access. These stakeholders are eager to develop plans to help secure funds from the unprecedented amount of broadband funding becoming available for fiber deployment projects.

To maximize this opportunity for the benefit of Oakland residents, Oakland needs to (1) establish a clear plan for leveraging existing city facilities and assets to increase connectivity and (2) develop a suite of construction-ready last-mile projects prioritized according to data and community input.

Based on the agreed upon scope of work, the project team will:

- Update the [2019 Fiber Optic Master Plan](#), developed by Kimley-Horn (which itself is an update to the 2014 master plan developed by Kimley-Horn);
- Expand the scope of the [Fiber Optic Master Plan](#) to include a Wireless Element for the feasibility of constructing a fixed wireless, gigabit speed backhaul system to support last-mile connections to City facilities and institutions where residents, students, seniors, and other underserved residents can access high-speed internet;
- Develop a Fiber Network Maintenance Plan for existing and new fiber assets; and
- Draft a Rooftop Master License Agreement for licensing City-owned assets to wireless broadband providers in public-private partnerships.
- Host workshops with community groups and City departments to inform a community vision for last-mile connectivity; consistent with City of Oakland inclusive outreach and inclusion framework as expressed in A.I. 6802
- Conduct a needs assessment to analyze gaps in residential broadband service, including reviewing FCC coverage maps and California Interactive Broadband Maps for accuracy, surveying buildings, and studying the internal wiring of MTEs and initiating and executing "challenges" pursuant to Federal and State guidelines;
- Execute agreements with partners to provide affordable, high speed last mile residential Internet service; and
- Design & construction plans for fiber optics projects throughout the City, as determined by the Master Plan.

Increasing access to and adoption of affordable residential Internet service directly supports the Citywide goals of Responsive, Trustworthy Government and Vibrant, Sustainable Infrastructure and, more broadly, has many other benefits, including community safety, wellbeing, and engagement.

### *Waiver Justification*

Oakland Municipal Code Section 2.04.051 A requires the City Administrator to conduct a proposal solicitation process before selecting a vendor; however, Oakland Municipal Code Section 2.04.051 B allows Council to waive the proposal solicitation requirements upon a finding by the Council that it is in the best interest of the City to do so.

The CPUC Last-Mile broadband grant funding are time-bound and subject to reporting requirements and a timeline implementation deadline of December 31, 2024. As such, starting the project is imperative in order to ensure the timeline and reporting deadlines can be accomplished.

In addition, Kimley-Horn, a local Oakland firm, has a proven track record of successfully delivering municipal and public streets improvement projects throughout the Bay Area, including multiple projects with the City of Oakland, such as the Latham Square Pedestrian Plaza Project, Broadway Transit and Pedestrian Improvement Project, and Lakeside Green Streets Project in Oakland. In addition, Kimley-Horn has performed several broadband studies under contract with the City of Oakland, including developing its previous Fiber Optics Master Plan. Given its deep knowledge of the City of Oakland's broadband infrastructure, complexities and short- and long-term goals, City Staff recommends awarding the project to Kimley-Horn through a waiver of the competitive bidding requirement.

### **FISCAL IMPACT**

The professional services agreement will be funded from State of California Other Fund (2159), Administrative Services Organization (46111), Last-Mile Broadband Project (1006956). The expenditures are fully reimbursable up to the not to exceed amount of \$500,000 subject to the rules of the CPUC technical assistance grant program.

### **PUBLIC OUTREACH / INTEREST**

The scope of work includes hosting multiple community workshops. Expanding affordable broadband access and adoption is of great interest to all Oaklanders.

### **COORDINATION**

This report and legislation have been reviewed by the Office of the City Attorney, the Controller's Bureau, and City Administrator's Office.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Kimley-Horn, a firm based in Oakland for 20 years, has a proven track record of successfully delivering municipal and public streets improvement projects throughout the Bay Area, including

the Latham Square Pedestrian Plaza Project, Broadway Transit and Pedestrian Improvement Project, and Lakeside Green Streets Project in Oakland. In addition, Kimley-Horn has performed several broadband studies under contract with the City of Oakland, including developing its previous Fiber Optics Master Plan.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Access to affordable residential broadband increases microeconomic development by empowering residents to have more access to the economy and workforce development, including entrepreneurship, expanded job opportunities, recruitment, job training, networking, and many other benefits.

***Environmental:*** Broadband networks and residential Internet service play an important role in the transition to a cleaner economy by supporting technologies that reduce carbon emissions and save consumers money, including smart thermostats, heat pumps, electric water heaters, and other appliances that connect to the home's Internet service.

***Race & Equity:*** Access to affordable residential broadband service in underserved areas of East and West Oakland will address the social issues associated with the "Digital Divide," which disproportionately impact Black, Brown, and immigrant communities in Oakland. Through this planning effort, the City will be able to assess the feasibility to expand broadband service in underserved communities.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution (1) Awarding A Professional Services Agreement To Kimley-Horn For An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) To Provide Broadband Consulting For The Oakland Broadband Last-Mile Connectivity Planning & Design Project; And (2) Waiving the City's Multistep Proposal Solicitation And Local Business Program Utilization Requirements.

For questions regarding this report, please contact Tony Batalla, Information Technology Director at 510-238-3319.

Respectfully submitted,



TONY BATALLA  
Director, Information Technology Department