



CITY OF OAKLAND

AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: G. Harold Duffey
Director, Oakland Public
Works

SUBJECT: On-Call Architectural Services

DATE: October 30, 2023

City Administrator Approval

Date: Nov 2, 2023

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Execute Professional Consultant Contracts For On-Call Architectural Services That Follow All City Advertising And Competitive Solicitation Requirements And Are Awarded In Direct Service Of Delivering On-Call Architectural Services For A Duration Of Four Years To The Following Tiers:

- 1. Tier 1 Firms Each For An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) Annually To Qualified Consultants: Baran Studio Architecture, Blinklab, RPR Architects, Studio 144 Architects.**
- 2. Tier 2 Firms Each For An Amount Not-To-Exceed Two Million Dollars (\$2,000,000.00) Annually To Qualified Consultants: AE3, Arcsine, Brick & HGA, Dialog Design, ELS, HY Architects, LCA Architects, Page & Turnbull, PBK, Perkins Eastman, Shah Kawasaki Architects, Studio Bondy Architecture, Studio T-Square, Studio Perez.**

EXECUTIVE SUMMARY

The City of Oakland (City) uses on-call professional services contracts to provide various architectural and engineering services to support the City's Capital Improvement Program (CIP). Services include site and building assessments, conceptual planning, building programming, preparation of plans and specifications, cost estimating, construction support, and other related services. CIP projects include libraries, recreation and community centers, senior centers, restroom facilities, public safety facilities, and other architecturally related projects.

Approval of the proposed resolution will enable the City to deliver projects promptly, efficiently, and in a cost-effective manner by authorizing the City Administrator to execute on-call professional services contracts with qualified architects, each for a period of four

(4) years, for On-Call Architectural Services that follow all city advertising and competitive solicitation requirements.

The new on call contracts are structured to advance the City's Local and Small Local Business Enterprise (L/SLBE) goals. Tier 1 includes very small and small local business consultants to provide more opportunities. Tier 1 consultants can also be sub-consultants in Tier 2. For task orders \$500,000 or below, the first right of refusal is given to the SLBE consultants of Tier 1. If there are no responsive bids, OPW can solicit from Tier 2 consultants, who must also meet the SLBE requirements. Consultants will be required to meet the City's Compliance programs and will be reviewed for compliance in each task order. OPW will provide an RFQ for On-Call Architectural Services on an annual basis if needed to expand opportunities for firms that are certified Local Business Enterprises to join the on-call pool.

BACKGROUND / LEGISLATIVE HISTORY

Oakland Public Works Department (OPW) manages a variety of projects in support of the City's CIP. The passage of Measure KK – Affordable Housing & Infrastructure Bond in 2016 and Measure U - Affordable Housing Infrastructure Bond in 2022, as well as the award of various local, state, and federal grants or other unscheduled priority projects that occur between budget cycles, have generated a need to develop an implementation plan, to deliver various CIP projects in a timely and cost-effective manner. OPW utilizes on-call professional services contracts solicited through a competitive process in accordance with OMC Section 2.04.051 to assist in that effort. Major capital improvement projects funded by capital improvement funds, bonds, and grants will benefit from the on-call professional services by reducing the time and processes associated with selecting consultants on an individual project-by-project basis and thereby provide cost savings to the City.

The City's past round of on-call architectural services agreements were approved in 2019, and all agreements expired in June 2023, with the exception of a few contracts for active projects already in progress. The expiration has reduced options to promptly deliver new projects.

On June 9, 2023, the City issued a Request For Qualifications (RFQ) seeking On-Call Architectural Services. The City received 21 Statements of Qualifications (SOQs) on August 3, 2023.

An evaluation panel consisting of representatives from the Sustainability Program of the City Administrator's Office, OPW, and the Capital Contracts Division (CCD) evaluated and ranked the SOQs in accordance with the procurement process set forth in the RFQ. Each panel member scored the SOQs using a consistent scoring matrix based on the firm's license, relevant experience, and L/SBE status. Each firm will receive a total score comprised of their SOQ score and LBE/SBE status. The scored categories include the following:

1. Transmittal Letter
2. Firm Profile and Project Approach

3. Consultant Firm’s Team Listing per Local / Small Local Business Enterprise Program
4. Relevant Experience with project data and summaries
5. Reference names and contacts of recently completed projects
6. Hourly Billing Rates

Upon completion of the evaluation process, the SOQs were numerically ranked, and CCD determined the actual number of contracts to be awarded. Four firms were recommended for Tier I contracts, and fourteen were recommended for Tier II contracts.

ANALYSIS AND POLICY ALTERNATIVES

The proposed resolution advances the Citywide priorities of a vibrant sustainable infrastructure because the City needs technical and design services to assist in the delivery of projects, and the On-Call Architectural Professional Services contracts will provide the means for delivering technical support and project design in a timely and cost-effective manner, while meeting the City’s L/SLBE goals. Approval of these contracts will reduce the project timeline needed in selecting consultants for projects, thereby providing cost-savings to the City. The on-call contracts will improve OPW efficiency by enabling staff to quickly respond to urgent and unforeseen demands, such as developing design documents for grant proposals in a limited time that cannot be accomplished in an expedient manner by conducting a formal, project-specific Request for Proposals process to hire a consultant.

The formal process to hire a consultant for a specific project could require 42 weeks for advertisement, solicitation period, City Council approval of a contract, and contract execution to comply with the City’s standard procurement policy identified in Oakland Municipal Code (OMC) Section 2.04. This extended time frame of the formal process poses a challenge to timely delivery, within budget, of CIP projects because of construction industry cost escalation, making it difficult for architects to design to an established construction budget. See **Table 1** – California Construction Cost Index escalation data below.

Table 1 – CCCI Escalation Data

Year	Escalation
2016	4.4%
2017	3.5%
2018	1.3%
2019	3.6%
2020	2.8%
2021	13.4%
2022	9.3%
2023	*6.5%

* Projected escalation for 2023

On-call consultant contracts will expedite the design and delivery of projects by reducing the timeframe to select and hire consultants from 42 weeks to 12 weeks. As a result of the streamlined procurement process, increased consultant interest and competition is anticipated, thereby providing cost and time savings to the project.

The on-call solicitation is designed to further the City's L/SLBE goals by establishing two tiers of consultants that can be expanded with more consultants each year of the full four-year term of the on-call Architectural services contract. The on-call consultants will provide employment opportunities to certified Local Businesses and Enterprises of all sizes through each of the 4-year contracts:

1. Tier 1 Firms Each For An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) Annually To Qualified Architects;
2. Tier 2 Firms Each For An Amount Not-To-Exceed Two Million Dollars (\$2,000,000.00) Annually To Qualified Architects

Work will be assigned through Task Orders based on a competitive, informal Request for Proposals process to the most qualified and responsive firm. Typically, as a task order is identified, the City will issue a request-for-bid from the respective Tier to bid on the task order. The task order includes but is not limited to the scope of work, schedule, project criteria, and construction budget. Work will be assigned through Task Orders at the discretion of OPW staff and based on the lowest responsive and responsible bid. The successful bidder will be issued a Task Order for the work.

The approximate dollar amount for each task order to be as follows:

Tier 1 – Up to \$500,000.00

Tier 2 –\$500,001.00 up to \$2,000,000.00

Tier 1 will include very small and small local business consultants to meet compliance requirements of OMC Sections 2.04.051 Competitive process and qualification-based awards for professional services contracts and the Preferred Small Local Business ("PSLB") program. Tier 1 consultants can also be sub-consultants in Tier 2. For task orders \$500,000 or below, the first right of refusal is given to the SLBE consultants of Tier 1. If there are no responsive bids, OPW can solicit from Tier 2 consultants, who must also meet the SLBE requirements. OPW will provide a RFQ for On-Call Architectural Services on an annual basis if needed to expand opportunities for firms that are certified Local Business Enterprises to join the on-call pool.

No minimum amount of work is implied or guaranteed, and no appropriation is made as a result of this action. Individual task orders will vary but cumulatively will not exceed the approved contract amounts. Contract amounts for Tier 1 and Tier 2 not exercised cannot be rolled over into the next year to allow open market bidding opportunities. Consultants are required to meet the City's Compliance programs and will be reviewed for compliance to execute each task order.

The proposed work is of a professional and technical nature and is temporary in nature. The City lacks the equipment and qualified personnel to perform the work, and entering into this

contract will not result in the loss of employment or salary by any person having permanent status in competitive service. As noted below, the Unions have been informed of the project, and no comments were received.

FISCAL IMPACT

The proposed resolution establishes a slate of on-call contracts for architectural services; funding for specific projects utilizing these contracts will be identified at the time of the project. There is no impact on the General Purpose Fund, and no additional funding is requested.

PUBLIC OUTREACH / INTEREST

Staff provided notice to labor representatives per the terms and conditions of the current Memorandums of Understanding with Local 21, Service Employee International (SEIU) 1021, and International Brotherhood of Electrical Workers (IBEW).

Staff presented the recommended approach at the following meeting:

- Pre-Proposal/Pre-Bid Conference on June 20, 2023, 11:00AM-12:00PM
- Doing Business with the City of Oakland; 2023-2025 Capital Improvement Program Overview and Matchmaking Event (DWES/OPW/DOT), July 26, 2023, 4:30PM-6:30PM
See Attachment A

For this RFQ solicitation, OPW staff worked with OPW-CCD and DWES on public outreach through enhanced notifications, legal ads, and a pre-proposal conference call.

The City's iSupplier system also distributed notifications to Oakland-certified local and non-local professional service providers (e.g., landscape architects, architects, engineers, interior designers, 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 the Construction Bidboard. If a company enters a North American Industry Classification System (NAICS) code, they are notified about projects with this code.

In addition to iSupplier and the established disparity outreach list, OPW-CCD 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 the all City of Oakland solicitations without restrictions.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney and the Budget Bureau. OPW Capital Contracts Division provided the compliance analysis of submitted firms.

SUSTAINABLE OPPORTUNITIES

Economic: The projects supported by the on-call architectural services 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: Environmental factors and opportunities will be considered and incorporated to the extent feasible with each project. The project design will incorporate sustainable specifications and scope to maximize environmentally sound practices and meet the City's sustainability and resiliency objectives.

Race & Equity: The proposed consultant services for capital improvement projects will improve existing and extend the useful life of facilities or provide new City facilities and parks for public use, especially in underserved areas of the City, because projects are prioritized in accordance with the City's CIP equity-driven prioritization process. As applicable, consultants will be required to comply with applicable accessibility codes and the Americans with Disabilities Act.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

There are no California Environmental Quality Act (CEQA) impacts associated with the recommendation to award on-call professional services contracts.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Execute Professional Services Consultant Contracts For On-Call Architectural Services That Follow All City Advertising and Competitive Solicitation Requirements And Are Awarded In Direct Service of Delivering The On-Call Architectural Services For A Duration Of Four Years To The Following Tiers:

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For questions regarding this report, please contact Calvin Hao, Project & Grant Management Acting Division Manager, at 510-238-7395.

Respectfully submitted,



G. HAROLD DUFFEY
Director, Oakland Public Works

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Attachment (1):
A: Outreach Flyer