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OFFICE OF THE CITY CLERK
OAKLAND

2015 APR -1 AM 12: 56

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Brooke A. Levin

SUBJECT: Agreement with MTC for Pavement
Management Assistance

DATE: March 4, 2015

City Administrator
Approval

Date:

3/31/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council approve a Resolution Authorizing The City Administrator Or Designee To: 1) Apply For and Accept \$100,000.00 In Pavement Management Technical Assistance Program (P-TAP) Grant Funds From The Metropolitan Transportation Commission; 2) Allocate \$20,000.00 In Matching Funds And An Additional \$88,860.00 For Additional Professional Services From An Existing Project; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Additional Professional Services In An Amount Not-To-Exceed \$88,860.00.

OUTCOME

The approval of the resolution will authorize the City Administrator or designee to apply for and accept \$100,000.00 in pavement management technical assistance program (P-TAP) grant funds from the Metropolitan Transportation Commission (MTC). This approval will allocate \$20,000.00 in matching funds to this grant from an existing project. The entire grant amount will be administered by MTC and will provide the City with professional services, through MTC's regional consultant, to update the City's pavement management data system. The City is interested in receiving additional professional services from the MTC's consultant in the amount of \$88,860.00 to complete updating its entire pavement data system. This approval will allocate additional funds to pay for an agreement with MTC to provide the additional professional services in an amount not-to-exceed \$88,860.00. Again, these services will update the City's entire Pavement Management System to reflect the current pavement conditions in Oakland, as required by MTC, and will ensure that streets are assessed uniformly and consistently throughout Oakland and the region.

Item: _____
Public Works Committee
April 14, 2015

BACKGROUND/LEGISLATIVE HISTORY

In 1985, MTC developed the StreetSaver® software for pavement management in cooperation with six Bay Area jurisdictions. Since then, 104 cities and counties in the Bay Area and over 300 organizations nationwide have licensed the software. This software allows jurisdictions to track pavement condition, establish optimal repair programs, identify the impact of existing budgets on pavement condition, and allocate limited funds cost effectively.

MTC solicits proposals and awards contracts competitively to qualified consulting firms to service P-TAP. Through P-TAP, MTC provides consultant assistance to Bay Area jurisdictions to implement a pavement management program (e.g. create pavement segmentation, perform field inspections) and maintain an existing PMS database (update treatment descriptions/costs, establish pavements needs, identify budgets impacts). This program assures consistency in regional evaluation of street conditions.

The maximum grant amount for P-TAP Round 16 is \$100,000.00 per jurisdiction.

ANALYSIS

The work done under the P-TAP grant is the first step in the effort to make Oakland's streets safer for the traveling public and help the City better plan its street paving improvements. As part of the grant, the city will also receive two years license of the MTC's StreetSaver® software.

The \$100,000 grant amount is not enough to fund the inspection of the City's entire pavement network. Additional services are requested by the City from MTC's consultant in the amount of \$88,860 to inspect an additional 463 miles of streets. These services will enable the City to completely update its entire pavement management data system, ensure data uniformity and consistency throughout Oakland and the region, as required by MTC.

In addition, as part of PTAP Round-16, the City of Oakland will receive two years of subscription to the online version of StreetSaver® (the MTC Pavement Management System).

An updated Pavement Management System will enable Oakland to better plan and manage its street resurfacing improvements. MTC requires these updates every 2 years for arterial and collectors, and every 5 years for residential streets.

COORDINATION

Offices consulted in the preparation of this report are the Office of the City Attorney, Controller's Bureau, and Contracts and Compliance Division.

COST SUMMARY/IMPLICATIONS

FISCAL IMPACT:

Approval of this resolution will authorize acceptance of a \$100,000.00 grant with \$20,000.00 in local matching funds, and an additional payment not-to-exceed \$88,860 to provide professional services. Funds are available from Vehicle Registration Fee (VRF) (2215), project number C458810. The professional services will be used for updating the Pavement Management System (PMS). The City will not actually receive the \$100,000.00 grant as MTC will pay for the services directly to the consultant.

Description	Fund	Project	Amount
PTAP Grant	-	-	\$100,000.00
PTAP Grant Matching Funds	2215	C458810	\$20,000.00
PTAP Additional Matching Funds	2215	C458810	\$88,860.00

SUSTAINABLE OPPORTUNITIES


Economic: The pavement management program employs a life-cycle cost analysis that provides the City with the most efficient, effective and economic maintenance strategies for the entire pavement network. Preventative maintenance also minimizes additional cost to drivers from poorly maintained streets (e.g. potholes and accidents).

Environmental: The pavement management program provides a preventative maintenance strategy for the City's pavement network. When this maintenance strategy is used the City's pavement life is extended, reducing the need for environmental impacts associated with street reconstruction.

Social Equity: The pavement management system projects street condition and calculates a pavement condition index (PCI) for each street segment within the City's pavement network. The street PCI is used to propose maintenance strategies for the City's entire pavement network. It allows an objective rating of pavement condition across all areas of Oakland.

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager at (510) 238-6601.

Respectfully submitted,



Brooke A. Levin
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
Bureau of Engineering and Construction

Reviewed by:
Gus Amirzehni, P.E., Engineering Design and R.O.W.
Division Manager

Prepared by:
Jimmy Mach, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management Division

Attachment (1)
Attachment A: Letter of Agreement for P-TAP 16 Services

Item: _____
Public Works Committee
April 14, 2015

Attachment A

Letter of Agreement for P-TAP 16 Services

CITY OF OAKLAND



DALZIEL BUILDING, 250 FRANK H. OGAWA PLAZA, SUITE 4314, OAKLAND, CALIFORNIA, 94612
Oakland Public Works
Bureau of Engineering & Construction

TEL: (510) 238-3171
FAX: (510) 238-6412
TTY: (510) 238-3254

March 27, 2015

Subject: Letter Agreement for Additional P-TAP 16 Services

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Dear Mr. Heminger:

This letter serves as an agreement between the Metropolitan Transportation Commission (MTC) and the City of Oakland (OAKLAND), to provide additional services as part of the Pavement Management and Technical Assistance Program Round 16 (P-TAP 16), as described below (the "Project").

Background

On January 15, 2013, MTC executed a contract with Harris & Associates (CONSULTANT), for the Pavement Management Technical Assistance Program (P-TAP) (CONTRACT), covering Fiscal Years 2012-2013 through 2015-2016, to provide PMP professional services to cities in the MTC region. Upon final execution of this Letter Agreement, MTC will amend the CONTRACT with the CONSULTANT to increase the CONTRACT amount by eighty-eight thousand eight hundred sixty dollars (\$88,860) for the Project, which OAKLAND shall fully fund and which shall include pavement inspection and budget analysis for approximately four hundred sixty-three (463) pavement management program (PMP) miles in OAKLAND. Via this Letter Agreement, MTC will amend its P-TAP 16 contract with CONSULTANT to add the Scope of Services and Budget contained herein.

Scope of Services

MTC shall direct CONSULTANT to complete the Project for OAKLAND as indicated below. CONSULTANT will secure approval of the Work Scope, Schedule and Budget from OAKLAND and submit to MTC for review. MTC will manage the Project as part of the CONTRACT and oversee CONSULTANT for this work.

The Scope of Services for the Project includes the following tasks:

- TASK 1b: Workscope, Schedule and Budget (10% of budget)
Develop a detailed workscope, schedule and budget for the project.

- **Task 2b: Condition Survey Data and System Updates (90% of budget)**
Perform condition surveys on sample sections of approximately 463 PMP miles of roads, update the City's database with the collected data and calculate the Pavement Condition Index (PCI). Conduct QA/QC as outlined in the scope. Update the maintenance and rehabilitation decision trees, and analyze the data collected. CONSULTANT shall make recommendations to the City based on the analysis.

Deliverable 1b: Workscope, Schedule and Budget
Deliverable Due Date: July 1, 2015

Deliverable 2b: Condition Survey Data and System Updates
Deliverable Due Date: October 1, 2015

The final recommendations, analysis and budget scenarios (Budget Options Report) will be incorporated into a separate PTAP project deliverable that is concurrently being implemented with this project.

Cost and Invoicing:

The cost services described in the Scope of Services is not to exceed eighty-eight thousand eight hundred sixty dollars (\$88,860). City of Oakland will reimburse MTC for direct charges for the work completed in the Scope of Services by the CONSULTANT. City of Oakland will not reimburse MTC for any MTC project management and oversight costs of the Project contract, or any MTC overhead costs. CONSULTANT shall submit an invoice identifying the project deliverable or milestone for which payment is sought no later than thirty (30) days after MTC's acceptance of such deliverable/milestone.

Notwithstanding the above, City of Oakland shall not be obligated to reimburse MTC for any work performed by CONSULTANT under this Agreement until CONSULTANT delivers to City of Oakland that evidence of insurance and indemnification described in the 'Insurance and Indemnification' paragraph below.

Insurance and Indemnification

MTC will direct CONSULTANT to name City of Oakland and their respective officers, employees, consultants and agents as additional insured. A certificate of insurance evidencing this policy will be provided to City of Oakland by CONSULTANT. MTC will also direct the CONSULTANT to indemnify City of Oakland, its Members of the City Council, and their respective officers, employees, consultants and agents. Said indemnification shall parallel the indemnification clause in MTC's agreement with its CONSULTANT and accordingly shall read: "CONSULTANT shall indemnify and hold harmless City of Oakland, its Members of the City Council, officers, agents, and employees from claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of CONSULTANT, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and CONSULTANT agrees at its own cost, expense and risk to defend claims, actions, suits, or other legal proceedings brought or instituted against City of Oakland, its Members of the City Council, officers, agents, and employees, or any of them, to the extent arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

Agreement Term:

This contract will expire no later than April 30, 2016, unless it subsequently amended by mutual agreement.

City of Oakland Contact for this Agreement:

Jimmy Mach, P.E.
Supervising Civil Engineer
250 Frank H. Ogawa Plaza Suite 4314
Oakland, CA 94587
Telephone: 510-238-3303

If you concur with this Agreement, please sign each of the four copies in the space below and send all original signed copies to the City of Oakland contact person. A final full executed Agreement will be mailed to you.

If you have any questions, please contact Jimmy Mach at 510-238-3303.

Sincerely,

Brooke A. Levin
Director, Oakland Public Works

Steve Heminger, Director
Executive Director, MTC

DATE: _____

DATE: _____

Reviewed by:
Mike Neary, P.E., Assistant Director
OPW, Bureau of Engineering and Construction

Reviewed by:
Gus Amirzehni, P.E., Engineering and R.O.W Manager
Engineering Design and R.O.W Management

Prepared by:
Jimmy Mach, P.E., Supervising Civil Engineer
Engineering Design and R.O.W Management

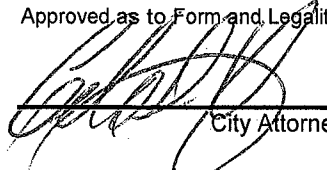
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OAKLAND

2015 APR -1 AM 12:56

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Approved as to Form and Legality



City Attorney

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: 1) APPLY FOR, ACCEPT \$100,000.00 IN PAVEMENT MANAGEMENT TECHNICAL ASSISTANCE PROGRAM GRANT FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION; 2) ALLOCATE \$20,000.00 IN MATCHING FUNDS AND AN ADDITIONAL \$88,860.00 FOR ADDITIONAL PROFESSIONAL SERVICES FROM AN EXISTING PROJECT; AND 3) ENTER INTO AN AGREEMENT WITH METROPOLITAN TRANSPORTATION COMMISSION TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$88,860.00

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, MTC requires the allocation of \$20,000.00 in matching funds; and the City of Oakland requests to add \$88,860.00 in matching funds 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 1, 2016; and

WHEREAS, the local funds of \$20,000.00 and \$88,860.00 are available in Vehicle Registration Fee (VRF) Funds (2215) in project C458810, and

WHEREAS, the letter agreement for additional P-TAP 16 Services be attested; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland authorizes the City Administrator, or her designee, to apply for \$100,000.00 in Pavement Management Technical Assistance Program Grant Funds from the Metropolitan Transportation Commission, allocate \$20,000.00 and an additional \$88,860.00 in matching funds, and enter into an agreement with the Metropolitan Transportation Commission to provide professional services in an amount not-to-exceed \$88,860.00; and be it

FURTHER RESOLVED: That the City Council authorizes the City of Oakland to allocate \$20,000.00 and an additional \$88,860.00 in matching funds from existing Vehicle Registration Fee (VRF) Funds in project C458810; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or her designee to negotiate and enter into an agreement with Metropolitan Transportation Commission to provide professional services for an amount not-to-exceed \$88,860.00; and be it

FURTHER RESOLVED: That the Surface Transportation Program P-TAP funding for the project is fixed (\$100,000.00), 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California