

## AGENDA REPORT

**Resolution:** Authorize the Executive Director to Enter into a Professional Services Agreement with Mott MacDonald, LLC for Professional Consulting Services To Support the 7<sup>th</sup> Street Grade Separation Projects (West and East Segments) for a Contract Term Through December 31, 2022 and a Total Contract Amount Not-To-Exceed \$1,950,000. **(Engineering/Maritime)**

**MEETING DATE:** 7/11/2019

**AMOUNT:** \$1,950,000 Contract Authority  
Operating Expense

**PARTIES INVOLVED:** Mott MacDonald, LLC, Oakland/CA  
Chris Metzger, PE, Senior Vice President

**SUBMITTED BY:** Robert Andrews, Interim Director of Engineering/Chief Engineer  
John C. Driscoll, Director of Maritime

**APPROVED BY:** J. Christopher Lytle, Executive Director

**ACTION TYPE:** Resolution

### **EXECUTIVE SUMMARY**

This Agenda Report seeks authorization for the Executive Director to enter into a Professional Services Agreement with Mott MacDonald, LLC for an amount not to exceed \$1,950,000 for Professional Consulting Services to support the 7<sup>th</sup> Street Grade Separation Projects (West and East segments) with a contract term through December 31, 2022. This action will provide consultant technical support through the project design and construction phases for the East segment and technical support of the design phase only for the West segment.

### **BACKGROUND**

The GoPort Program is comprised of capital improvements that are managed, administered, and funded by the Alameda County Transportation Commission ("Alameda CTC"). The 7<sup>th</sup> Street Grade Separation Projects are included in the GoPort Program as noted below:

GoPort Program Projects:

- 7<sup>th</sup> St. Grade Separation Project-East Segment ("7GSP-East")
- 7<sup>th</sup> St. Grade Separation Project West Segment ("7GSP-West")

- Freight Intelligent Traffic Systems (“FITS”)

The 7GSP-East and 7GSP-West segments are the relevant components of the GoPort Program associated with this item. Seventh (7<sup>th</sup>) Street is a primary entry/exit corridor to the seaport area, and both segments of the project will have a significant impact on Port operations. The 7GSP-East and 7GSP-West are described in more detail below:

**7GSP-East:** This project will re-align and replace the existing 7<sup>th</sup> Street roadway and the railroad underpass structure between I-880 and Maritime Street at a total estimated cost of \$268 million. The new roadway will include design upgrades including increased roadway lane and shoulder widths, a rail underpass structure, and a multi-use path. Upon completion, the East segment is anticipated to increase truck and other vehicle throughput, reduce traffic congestion, enhance safety as well as provide opportunities for non-motorized movements through the corridor.

Alameda CTC anticipates this segment will be fully funded and is managing the design and construction phases. The Union Pacific Railroad, the City of Oakland, and the Port of Oakland are all providing technical support and comments due to impacts of the project on each respective entity. The design of this segment is approaching 60% complete, and final design is expected to be completed in the Spring of 2020. It is anticipated the City of Oakland will own the majority of assets constructed as part of the East segment.

**7GSP-West:** This segment includes a grade separated roadway in the triangular area bounded by Maritime Street, 7<sup>th</sup> Street, and Navy Road and has a total estimated cost of \$320 million. This segment will improve Maritime operations by providing a direct and unimpeded rail connection between the Port of Oakland’s Oakland International Gateway Facility and recently completed Phase 1 of the Outer Harbor Intermodal Terminal (“OHIT”) railyard.

Similar to the East segment, Alameda CTC is funding and managing the design and construction phases of this project. However, funding is currently secured to complete only the design phase, which is estimated at \$21 million. Alameda CTC is currently working to close the funding gap necessary to construct the West segment. Also in similar fashion to the East segment, Union Pacific Railroad, the City of Oakland, and the Port of Oakland are providing technical support and comments due to direct impacts to each respective entity. The design of the West segment is approaching 30%. It is anticipated the City of Oakland will also own the majority of assets constructed as part of the West segment.

## **ANALYSIS**

Port staff has been providing technical support and comments for both East and West segments of the 7<sup>th</sup> Street Grade Separation projects during the design phase to date. Staff solicited consultants to supplement the technical support in anticipation of the

increased workload and technical complexity as both segments progress toward final design.

On March 5<sup>th</sup>, 2019, Port staff solicited consultants for professional services through a Request for Proposal (RFP) to supplement in-house efforts. Staff advertised the RFP in several ways:

- Port website;
- Advertisement in the Oakland Tribune; and
- Verbal communication with parties that expressed interest in similar work

On April 2, 2019, two proposals were received. The proposers are listed in Table 1 below.

Port Engineering established a six-person Evaluation Committee (the “Committee”) comprised of staff from the Maritime Revenue Division, Engineering, and Social Responsibility. The Committee evaluated and rated each proposal based on 1) adherence to Port Policy Requirements, 2) Knowledge and Experience, 3) Plan and Approach, 4) Project Team and References, 5) Resources and Responsiveness, 6) Cost, and 7) application of the, Non-Discrimination and Small Local Business Utilization Policy.

Ratings were assigned to each of the seven criteria based on information found in the proposals. Mott MacDonald and Hill International each submitted a complete proposal that qualified for a Committee review and a subsequent oral presentation. Based on the proposal and oral presentation evaluations, the Committee ranked Mott MacDonald higher than Hill International. Mott MacDonald was ranked as the most qualified firm due to its team’s extensive understanding of the East and West segments, the seaport operations and environment, as well as their technical expertise, and past work on similar projects.

The evaluation resulted in the following ranking:

**Table 1. 7<sup>th</sup> Street Grade Separation Consultant Support Services Proposal Summary**

<b>Ranking</b>	<b>Proposer</b>	<b>Location</b>	<b>Certified LIA/LBA*</b>
1	Mott MacDonald, LLC	Oakland, CA	Yes
2	Hill International, Inc.	San Francisco, CA	No

\*LIA – Local Impact Area: Oakland, San Leandro and Emeryville; LBA – Local Business Area – Alameda and Contra Costa Counties

The consultant team will supplement Port staff in providing project management and project control assistance in addition to technical support and review during the design and construction phases for 7GSP-East and technical support and review for the design

phase only for 7GSP-West. Technical support generally consists of design review (including alignment and layout scenarios), assistance with right of way exhibits and agreements, construction schedule review and phasing review, review of traffic management plans and staging, review of construction documents to ensure compatibility with Port operations, assistance in preparation of operations and maintenance cost estimates, assistance in preparation and/or review of various agreements, easements, and presentations. The consultant team may also provide the Port with support or analysis on items that impact maritime operations. Their work is anticipated to be needed through construction of 7GSP-East, which is estimated to be through December 31, 2022; approximately 42 months from today.

The construction phase for 7GSP-West has not been funded. Therefore, support for the construction phase of this segment is not included in the scope of work for the consultant. Port staff will return to the Board to seek appropriate actions should it need to supplement its efforts for the construction phase of the West segment. The estimated timeline for project completion for 7GSP-East through construction is December 31, 2022.

Based on the evaluation, Port Staff recommends authorizing the Executive Director to Enter into a Professional Services Agreement with Mott MacDonald, LLC for Professional Consulting Services for a Contract Term to December 31, 2022 and a Total Contract Amount Not-To-Exceed \$1,950,000 to provide technical support for the 7SGSP East and West segments.

### **BUDGET & STAFFING**

These costs are included in the Maritime Division's FY 2019/2020, FY 2020/2021, and FY 2021/2022 operating expense budgets.

There is no staffing impact.

### **MARITIME AVIATION PROJECT LABOR AGREEMENT (MAPLA)**

This contract is for professional services that do not include construction testing and inspection and the provisions of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) do not apply to this work.

### **STRATEGIC PLAN**

The action described herein would help the Port achieve the following goals and objectives in the Port's Strategic Business Plan (2018-2022).

<https://www.portoakland.com/wp-content/uploads/Port-of-Oakland-Strategic-Plan.pdf>

- Improve Customer Service

- Modernize and Maintain Infrastructure

### **LIVING WAGE**

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements, do not apply to these actions because the consultants will employ fewer than 21 employees working on Port-related work. However, the consultants will be required to certify that should living wage obligations become applicable, the consultants shall comply with the Living Wage Regulations.

### **SUSTAINABILITY**

Port staff have reviewed the Port's 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form. There are no sustainability opportunities related to this proposed action because it does not involve a development project, purchasing of equipment, or operations that presents sustainability opportunities.

### **ENVIRONMENTAL**

The proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the action to approved professional services will result in a physical change in the environment. The action does not authorize the implementation of any of the GoPort projects. Therefore, this action is not subject to CEQA and no further environmental review is required.

The 7GSP East and 7GSP West projects were included in the 2002 Oakland Army Base Area Redevelopment Plan Environmental Impact Report (2002 EIR; State Clearinghouse No. 2001082058), adopted by the Board on September 17, 2002 (Resolution No. 02317), and in the 2012 Initial Study Addendum to the 2002 EIR (2012 Addendum), adopted by the Board on June 21, 2012 (Resolution No. 12-76). At the time future actions to implement the 7GSP East and 7GSP West projects are proposed, Port staff will determine whether additional environmental review is required under CEQA.

### **GENERAL PLAN**

This project is for professional services and will not directly include any alteration of property. Development projects that result from these professional services will be subject to separate findings of conformity with the City of Oakland General Plan in accordance with Section 727 of the Charter.

## **OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)**

Professional service agreements are not subject to the Port's Owner Controlled Insurance Program (OCIP) as professional services are not construction activities.

## **OPTIONS**

The following are options for the Board's consideration:

1. Approve the actions as outlined in this agenda report. This is the recommended option.
2. Do not approve the actions outlined in this agenda report and direct staff to perform another solicitation. This will potentially delay the delivery of the 7GSP-East and - West or result in a final product that does not address the Port's operation needs.

## **RECOMMENDATION**

Adopt a resolution authorizing the Executive Director to enter into a professional services agreement with Mott MacDonald, LLC for Professional Consulting Services to Support the 7<sup>th</sup> Street Grade Separation Projects with a contract term to December 31, 2022 and the total contract not-to-exceed amount of \$1,950,000.