



AGENDA REPORT

PROPOSED ACTION: Resolution: Approve and Authorize the Executive Director to Execute a Professional Services Agreement with WMH Corporation, Inc. to Provide Engineering Design Services for the Everport Terminal Services Pavement Project at Ben E. Nutter Terminal for a Three-Year Term with a Maximum Compensation Not-to-Exceed Value of \$550,000. **(Engineering)**

Submitted By: Emilia Sanchez, Director of Engineering; Bryan Brandes, Director of Maritime; Kristi McKenney, Acting Executive Director

Parties Involved: WMH Corporation, Inc 1111 Broadway, Suite 300 Oakland, California 94607	Amount: \$550,000 – total not to exceed
---	--

EXECUTIVE SUMMARY: The Port of Oakland (Port) is responsible for pavement maintenance within the Everport Terminal Services (ETS) terminal under the lease for the Ben E. Nutter Terminal. Port Staff conducted a formal solicitation process to select a design consultant to perform engineering design to develop plans and specifications for the purposes of soliciting a contractor to construct the improvements. Design elements include rehabilitating existing pavement, retrofitting utility vaults, and repairing rubber tire gantry concrete runways. In addition to design, WMH will also provide design support during construction. The design effort is anticipated to be completed within the initial eight months of the three year contract duration, while design services during construction efforts will occur at a later date.

BACKGROUND & ANALYSIS

The Ben E. Nutter Terminal was reconstructed in 1991 and supports large-scale cargo operations. ETS leases the Ben E. Nutter Terminal, and under the current lease the Port is responsible for pavement maintenance within the premises. Several pavement components need rehabilitation to sustain operations at optimal levels. These components include asphalt pavement (AC), utility vaults, and concrete runways for the rubber tire gantry (RTG) cranes. The AC, within a majority of the yard, has cracks and divots of varying widths and depths. Numerous utility vault lids are uneven or depressed and segments of the RTG crane runways have cracks and/or spalls. See Figure 1 for an example of current AC conditions.

In September 2023, Port Staff issued a Request for Proposals (RFP) to solicit a consultant to provide professional consulting services for the ETS Pavement Project. The scope of work includes reviewing available data, verifying the existing conditions in the field, developing bid documents to solicit a public works contractor to execute the work, and providing technical support during the bidding and construction phases.

The Port received proposals from two consultants. Port Staff reviewed the proposals and scored each of the consultants. Each proposer was evaluated based on overall experience, personnel and team organization, referenced projects, project approach, cost, and participation in the Port’s Non-Discrimination and Small/Location Business Utilization Policy (NDSLBP). Staff ranked the consultants as follows:

**Table 1
Scoring Summary**

Proposer	Location	Certified LIA/LBA/SBE/VSBE	Rank
WMH Corporation, Inc.	Oakland, CA	LIABE/SBE	1
Moffatt & Nichol	Oakland, CA	LIABE	2

Based on the combined scoring from the review panel, WMH is the highest-rated proposer. WMH demonstrated significant experience in similar technical work and provided a detailed project approach. Their fee breakdown also aligned well with the expected effort for each design task.

**Figure 1
AC Condition Example**



OTHER FINDINGS AND PROVISIONS

ENVIRONMENTAL REVIEW

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

- Categorically exempt under the following CEQA Guidelines Section:
15306 (Information Collection)
- Not a "Project" under CEQA, as defined in Public Resources Code § 21065.
- Other/Notes:

BUDGET

- Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR
 - Operating
 - Non-Operating
 - Capital

Analysis: This expenditure for professional services will be absorbed in the approved FY 2024 approved budget. Costs for construction will be requested in future budget allocations or Board actions.

Description	Design Budget	Construction Budget	Total Project Budget
Port Labor	\$200,000	TBD	TBD
Design Consultant	\$550,000	TBD	TBD
Contractor	\$0	TBD	TBD
Total	\$750,000	TBD	TBD

STAFFING

- No Anticipated Staffing Impact.
- Anticipated Change to Budgeted Headcount.
Reason:
- Other Anticipated Staffing Impact (e.g., Temp Help).
Reason:

MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA):

LIVING WAGE (City Charter § 728):
Applies?

<p><u>Applies?</u> Yes (CIP) – proposed action entails covered work on Port’s Capital Improvement Program in Aviation or Maritime areas above the threshold cost.</p> <p><input type="checkbox"/> <u>Additional Notes:</u></p>	<p>Yes (Service Provider) – proposed action entails at least \$50,000 in payments to service provider (and/or its subcontractor) employing at least 21 employees who spend at least 25% of their time on Port-related work on premises owned or managed by the Port</p> <p><input type="checkbox"/> <u>Additional Notes:</u></p>								
<p><u>SUSTAINABLE OPPORTUNITIES:</u></p> <p><u>Applies?</u> No.</p> <p><u>Reason:</u> There are no sustainable opportunities generally associated with a consultant contract.</p>	<p><u>GENERAL PLAN</u> (City Charter § 727):</p> <p><u>Conformity Determination:</u></p> <p>No Project – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.</p>								
<p><u>STRATEGIC PLAN.</u> The proposed action would help the Port achieve the following goal(s) and objective(s) in the Port’s Strategic Business Plan:</p> <table border="0" data-bbox="203 892 1364 1102"> <tr> <td><input type="checkbox"/> Grow Net Revenues</td> <td><input checked="" type="checkbox"/> Modernize and Maintain Infrastructure</td> </tr> <tr> <td><input checked="" type="checkbox"/> Improve Customer Service</td> <td><input type="checkbox"/> Pursue Employee Excellence</td> </tr> <tr> <td><input type="checkbox"/> Strengthen Safety and Security</td> <td><input type="checkbox"/> Serve Our Community</td> </tr> <tr> <td><input type="checkbox"/> Care for Our Environment</td> <td></td> </tr> </table>		<input type="checkbox"/> Grow Net Revenues	<input checked="" type="checkbox"/> Modernize and Maintain Infrastructure	<input checked="" type="checkbox"/> Improve Customer Service	<input type="checkbox"/> Pursue Employee Excellence	<input type="checkbox"/> Strengthen Safety and Security	<input type="checkbox"/> Serve Our Community	<input type="checkbox"/> Care for Our Environment	
<input type="checkbox"/> Grow Net Revenues	<input checked="" type="checkbox"/> Modernize and Maintain Infrastructure								
<input checked="" type="checkbox"/> Improve Customer Service	<input type="checkbox"/> Pursue Employee Excellence								
<input type="checkbox"/> Strengthen Safety and Security	<input type="checkbox"/> Serve Our Community								
<input type="checkbox"/> Care for Our Environment									