

## AGENDA REPORT

**Resolution:** Authorization to Approve the Plans and Project Manual and Waive Standard Bidding Procedures for Construction of a Service Animal Relief Area, Terminal 2, South Field, at the Oakland International Airport. **(Engineering)**

**MEETING DATE:** 6/8/2017

**AMOUNT:** None for the requested action.  
Choose an item.

**PARTIES INVOLVED:** None for the requested action.

**SUBMITTED BY:** Chris Chan, Director of Engineering  
Bryant L. Francis C.M., Director of Aviation

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

**ACTION TYPE:** Resolution

### **EXECUTIVE SUMMARY**

This Agenda Report seeks the following authorizations for construction of a Service Animal Relief Area in Terminal 2 at the Oakland International Airport (OAK):

- (1) Authorization for the Director of Engineering to approve the Plans and Project Manual;
- (2) Authorization for the Executive Director to waive standard bidding procedures and to solicit bids from Port-certified Small Business Enterprise (SBE) contractors, or if the Port does not receive any responsible bids from Port-certified SBE contractors, negotiate either a Change Order or Technical Service Order with a qualified contractor currently under contract with the Port.

### **BACKGROUND**

When people with disabilities using service animals travel by air, they must plan for the care and feeding of their animals. The greatest need for service animals when arriving after a long flight is to relieve themselves, and so their handlers seek relief areas (bathrooms) for their animals at the airport.

Department of Transportation (DOT) regulation 49 Code of Federal Regulations Section 27.71 requires most airports<sup>1</sup> to establish a service animal relief area inside the sterile area (past the

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<sup>1</sup> Airports that serve more than 10,000 passengers a year

security checkpoint) of the passenger terminal area. On December 15, 2016, the Board authorized the Executive Director to enter into an agreement with HNTB Corporation to design a service animal relief area, in order to comply with this regulation. The design is now complete and the project plans and project manual have been prepared.

## **ANALYSIS**

The service animal relief area will be located next to the restrooms adjacent to Gate 25 in Terminal 2 (Figure 1). This selected site is within close proximity to restrooms and other amenities that passengers use, does not limit long-term flexibility of the space, and has been determined by Port staff to be an acceptable walk from the furthest gate area. Because there is connectivity between Terminals 1 and 2, one service animal relief area will be sufficient to comply with DOT requirements.

The service animal relief area has been designed in consultation with the service animal training organization, Dogs4Diabetics (D4D), and with the guidance of the Federal Aviation Administration (FAA) best practices. To help improve the traveler experience for those that travel with a service animal, the wheelchair accessible space will be clearly marked and identified with wayfinding signage; and the area will be enclosed and equipped with water, ventilation and drainage systems, artificial grass, a mock fire hydrant, a sink for passenger use, and supplies for disposal of animal waste.

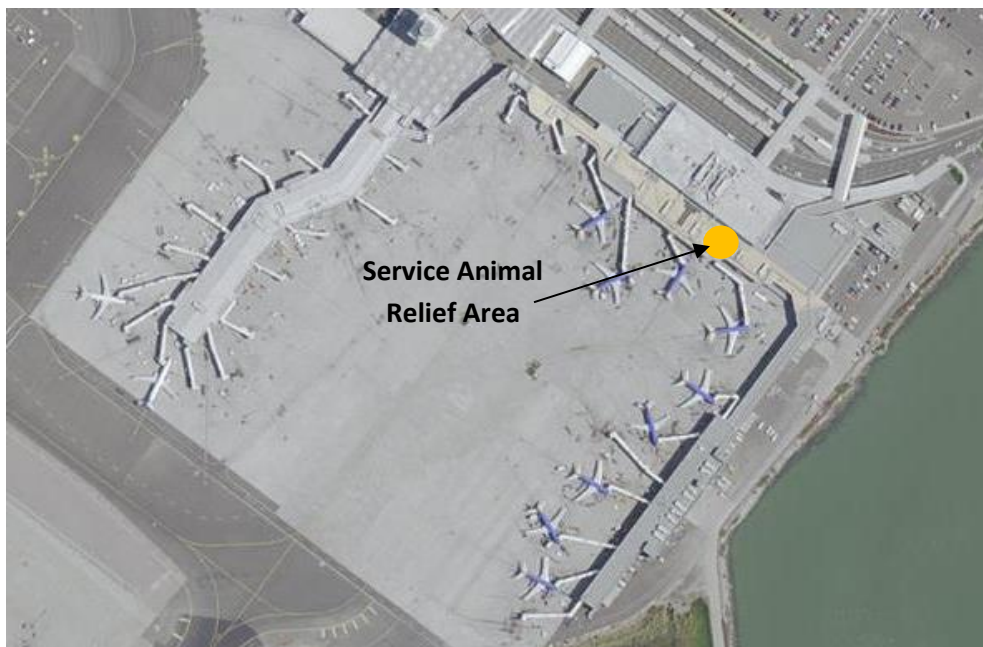


Figure 1. Location of Service Animal Relief Area

The scope of work for the service animal relief project includes building temporary walls, demolition, and debris removal; constructing an animal use space; realigning a custodial closet; installing/modifying existing water lines, storm drains, sanitary sewer, HVAC

system, electrical and fire alarm systems; and performing related structural and architectural modifications. The project will take approximately three months to construct.

Port staff has identified this project as a set aside for Port-certified SBE contractors. Staff contacted six qualified Port-certified SBE contractors to gauge interest in bidding on this project. Of the six Port-certified SBE contractors contacted, three contractors indicated that they were interested in bidding on the project.

Port staff is seeking the authorizations listed below in order to advertise for bids for the construction phase of this project:

- (1) Authorization for the Director of Engineering to approve the Plans and Project Manual;
- (2) Authorization for the Executive Director to waive standard bidding procedures and to solicit bids from Port-certified Small Business Enterprise (SBE) contractors, or if the Port does not receive any responsible bids from Port-certified SBE contractors, negotiate either a Change Order or Technical Service Order with a qualified contractor currently under contract with the Port.

Port staff will return to the Board seeking budget approval and authorization to enter into a contract to construct the service animal relief area after either a responsible bid is received from a Port-certified SBE contractor, or if no responsible bids are received, Port staff will seek Board authorization to construct the service animal relief area through an existing construction contract with the Port.

## **BUDGET & STAFFING**

This project has been included in the Port's financial planning for the proposed FY 2018 Capital Improvement Plan (CIP) which is anticipated to be approved at the June 22, 2017 Board Meeting. The design has been completed within the previously authorized budget of \$166,000. The project will be funded with Port cash and will be reimbursed through the airlines' rates and charges upon completion, over the useful life of the service animal relief area. Port staff will return to the Board for approval of the project budget following receipt of bids or determination of a negotiated price.

There is no anticipated staffing impact.

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

The Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) covers this work. However, the successful Port certified SBE contractor performing this work will be exempt under the MAPLA Small Business Enterprise Program, which exempts small local businesses meeting certain thresholds.

## **STRATEGIC PLAN**

### **Goal A: Create Sustainable Economic Growth for the Port and Beyond**

- Objective 4: Pursue strategic partnerships at all levels: local, regional, national and international.

### **Goal B: Maintain and aggressively grow core businesses.**

- Objective 1: Retain existing customers and tenants.
- Objective 5. Enhance customer services (i.e., market intelligence, technical knowledge, strategic advice and problem solving).

### **Goal C: Promote Equitable Community Access to Employment and Business Opportunities**

- Objective 1: Comply with all federal, State, local and Port workforce mandates.

## **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 (the "Living Wage Regulations"), do not apply because the contract is a construction contract covered by state prevailing wage rules and the prevailing rate of wage is higher than the wage required by the Living Wage Regulations.

## **ENVIRONMENTAL**

This service animal relief area construction project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Sustainable Opportunities: This project will make use of an unused room in Terminal 2 for the service animal relief area.

## **GENERAL PLAN**

Pursuant to Section 727 of the City of Oakland Charter, this project has been determined to conform to the policies for the transportation designation of the Oakland General Plan.

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

As the construction project is a capital improvement project, the applicable Owner Controlled Insurance Program (OCIP) coverages and provisions apply to the construction phase.

## **OPTIONS**

1. Approve the actions as outlined in this agenda report. This is the recommended option.
2. Do not approve the actions as outlined in this agenda report. This action would result in OAK not being in compliance with Department of Transportation (DOT) regulation 49 Code of Federal Regulations Section 27.71.

## **RECOMMENDATION**

Staff recommends that the Board approve the following authorizations associated with the service animal relief area as required by DOT regulations:

- (1) Authorization for the Director of Engineering to approve the Plans and Project Manual;
- (2) Authorization for the Executive Director to waive standard bidding procedures and to solicit bids from Port-certified Small Business Enterprise (SBE) contractors, or if the Port does not receive any responsible bids from Port-certified SBE contractors, negotiate either a Change Order or Technical Service Order with a qualified contractor currently under contract with the Port.