

## AGENDA REPORT

**Resolution:** Approval of a \$140,000 Design Budget for the Aircraft Rescue and Fire Fighting Wash Rack Rehabilitation Project and Authorization for the Executive Director to Execute a Second Supplemental Agreement (Year 2) with West Yost Associates, Inc. for an Additional \$354,000 for Consultant Services for the Aircraft Rescue and Fire Fighting Wash Rack Rehabilitation Project and FY2020 Airport Sanitary Sewer Condition Assessment Plan. **(Engineering/Aviation)**

**MEETING DATE:** 7/25/2019

**AMOUNT:** \$354,000 Contract Authority  
\$140,000 Capital Expenditure  
\$254,000 Operating Expense

**PARTIES INVOLVED:** West Yost Associates, Inc., Davis, CA,  
Charles T. Duncan, President

**SUBMITTED BY:** Rob Andrews, Interim 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 Board authorization and approval for the following:

- 1) Approval of a \$140,000 design budget for the Aircraft Rescue and Fire Fighting (ARFF) Wash Rack Rehabilitation project; and
- 2) Authorization for the Executive Director to execute a second supplemental agreement with West Yost Associates (WYA) amending the existing five-year Professional Services Agreement (Agreement) for an additional contract amount of \$354,000 for (i) design services for the ARFF Wash Rack Rehabilitation project and (ii) consultant support for the sanitary sewer condition assessment plan for FY 2020. The maximum compensation under the Agreement will be increased to \$1,579,000.

### **BACKGROUND**

#### **ARFF Wash Rack Rehabilitation Project**

The ARFF wash rack was installed in the mid 1990's when the ARFF building was constructed. It is integrated with the sanitary sewer system and includes a diversion system

that directs storm water to the storm drain and wash water to the sanitary sewer system. The ARFF wash rack, by default, directs storm water to the storm drain system. When ARFF personnel need to wash equipment such as fire trucks, tractors, or mowers, the system automatically switches over to divert wash water to the sanitary sewer system rather than the storm drain system.

#### Sanitary Sewer Condition Assessment Plan (CAP)

On June 13, 2019, by Resolution 19-45, the Board approved the Port of Oakland Sanitary Sewer Condition Assessment Plan (CAP), which lays out the schedule for inspecting and assessing the conditions of sewer lines over the next four years. The CAP is part of the Port private sewer lateral ordinance requiring the Port to comply with the East Bay Municipal Utility District regulations.

#### 5-Year Professional Services Agreement with WYA

On October 11, 2018, by Resolution 18-107, the Board authorized execution of an agreement with WYA for the first year of the proposed five-year program to provide design services for OAK's aging sanitary sewer infrastructure projects in support of the Port's Capital Improvement Plan (CIP). The first year's projects included rehabilitation of Lift Stations AP06P and AP08P, and the sewer pipelines in both Earhart Road and Airport Drive. WYA is near 60% design for Lift Stations AP06P and AP08P, and nearly complete with the basis of design for both Earhart Road and Airport Drive Rehabilitation Projects.

On June 28, 2019, staff executed a First Supplemental Agreement with WYA for additional design services related to Lift Stations AP06P and AP08P and preliminary investigations of the ARFF Wash Rack.

### **ANALYSIS**

#### ARFF Wash Rack Rehabilitation Project

The ARFF wash rack diversion system needs repair. It no longer diverts wash water to the sanitary sewer line and ARFF staff are unable to wash their equipment at this facility. They need to use the next closest wash rack which is at the ground run-up enclosure. This requires staff to contact the air traffic control tower to either cross or drive down active taxiways. Repairing the wash rack system so ARFF staff can utilize this function at their facility would be a more efficient use of their time and eliminate the need to traverse across active taxiways. Following design and after receipt of contractor bids, staff will return to the Board requesting budget approval and authorization to award the construction contract.

#### Sanitary Sewer Condition Assessment Plan (CAP)

Per the approved CAP, staff has until 2023 to report on the condition of all the Port's owned sanitary sewer pipelines. There is an estimated 50,000 linear feet (LF) of pipelines to be inspected and assessed at OAK. Staff have identified approximately 11,000 LF of pipeline for inspection and assessment at the Airport in FY 2020. This is an important step in the CAP

process and will give staff an overall picture of the health of the sanitary sewer system and assist staff in prioritizing and budgeting future sanitary sewer pipelines.

#### 5-Year Professional Services Agreement with WYA

As indicated in the October 11, 2018 Agenda Report, staff intends to return annually to the Board to seek approval for additional contract and budget authority for WYA consultant services on sanitary sewer rehabilitation projects to be included in subsequent fiscal years. To address these two priority projects for FY 2020, staff is requesting authorization to execute a supplemental agreement with WYA for the second year of their five-year contract to include consultant services for the ARFF Wash Rack Rehabilitation Project (\$100,000) and sanitary sewer CAP (\$254,000) for a total of \$354,000.

#### **BUDGET & STAFFING**

The design budget for the ARFF Wash Rack Rehabilitation project is \$140,000 as detailed in the table below. As a preliminary estimate, the construction costs for this project is estimated to be \$260,000. Following design and after receipt of contractor bids, staff will return to the Board requesting budget approval and authorization to award the construction contract.

The design costs has been included in the FY 2020 Capital Pipeline projects and therefore included in the Port's financial planning and cash flow.

**Table 1. Design Costs for the ARFF Wash Rack Rehabilitation**

ARFF	
Port Labor	\$ 40,000
Consultants	\$ 66,500
Contingency	\$ 33,500
<b>Total</b>	<b>\$ 140,000</b>

The cost for the CAP study for FY 2020 is \$254,000 and included in Aviation's Operating budget.

Both projects will be funded with Port cash and eligible costs will be recovered through airlines' rates and charges.

There is no anticipated staffing impact.

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

The provisions of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) apply to these professional services contracts only to the extent it involves work within the craft jurisdiction of the unions signatory to the MAPLA, such as any field surveying, on-site soils and materials testing and inspection, and geotechnical and exploratory drilling 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.portofoakland.com/wp-content/uploads/Port-of-Oakland-Strategic-Plan.pdf>

- Goal: Modernize and Maintain Infrastructure
- Goal: Care for Our Environment

## **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 to this agreement as the service provider does not employ 21 or more employees working on Port-related work. However, the service provider will be required to certify that should living wage obligations become applicable, the service provider shall comply with the Living Wage Regulations.

## **SUSTAINABILITY**

Port staff have reviewed the Port's 2000 Sustainability Policy and the Sustainability Opportunities Assessment Form. Sustainability opportunities do not apply to this type of work because it does not involve a development project, purchasing of equipment, or operations that present sustainability opportunities.

This project advances regional goals of protecting and improving water quality in the San Francisco Bay. The sanitary sewer improvements projects will reduce ground water infiltration and storm water inflow to the sanitary sewer system, thereby reducing the likelihood of wet weather discharges of partially treated sewage from EBMUD's wastewater treatment plan.

## **ENVIRONMENTAL**

### **CEQA Determination for Supplemental Agreement with West Yost Associates, Inc.:**

California Environmental Quality Act ("CEQA") Guidelines Section 15378(a) states that "Project" means the whole of an action that has a potential for resulting in either direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The general rule in Section 15061(b)(3) of the Guidelines additionally states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no possibility that entering into a professional services agreement with West Yost Associates for design services may have a significant effect on the environment, the action is not a "Project" under CEQA, and is not subject to CEQA under the General Rule Exclusion. No further review of this action under CEQA is required.

**CEQA Determination for the Engineering Design Services for the Aircraft Rescue and Fire Fighting Wash Rack Rehabilitation Project:** This action was reviewed in accordance

with the requirements of the California Environmental Quality Act (CEQA). The Port has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15302, Replacement or Reconstruction. Section 15302 exempts from CEQA the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including replacement of existing utility facilities involving negligible or no expansion of capacity.

### **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**

Staff has identified the following options for the Board's consideration:

- Approve the actions as outlined in this Agenda Report. Doing so will enable staff to start design of the ARFF Wash Rack Rehabilitation project and implementation of the airport sanitary sewer CAP. This is the recommended action.
- Approve a \$140,000 design budget and authorize the Executive Director to execute a Supplemental Agreement with WYA amending the existing five-year Professional Services Agreement for additional contract amount of \$100,000 for design services for the ARFF Wash Rack Rehabilitation project only. This option will delay completion of the airport sanitary sewer CAP and is not recommended.
- Authorize the Executive Director to execute a Supplemental Agreement with WYA amending the existing five-year Professional Services Agreement for additional contract amount of \$254,000 for consultant support services for the sanitary sewer condition assessment plan only. Do not approve budget for the design of the ARFF Wash Rack Rehabilitation project at this time. This is not recommended because postponing the design may result in delayed repair of the wash rack system.
- Direct Port staff to select a different consultant for the for the sanitary sewer condition assessment. This may be done through either an on-call contract or a project specific contract. Do not approve budget for the design of the ARFF Wash Rack Rehabilitation project at this time. This option places significant

demand on Port staff resources, will delay completion of both projects, and is not recommended.

### **RECOMMENDATION**

Staff recommends that the Board approve the following actions:

- 1) Approval of a \$140,000 design budget for the ARFF Wash Rack Rehabilitation project; and
- 2) Authorization for the Executive Director to execute a Supplemental Agreement with WYA amending the existing five-year Professional Services Agreement for an additional contract amount of \$354,000. This includes engineering design services for the Aircraft Rescue and Fire Fighting (ARFF) Wash Rack Rehabilitation project and consultant support services for the sanitary sewer condition assessment. The maximum compensation under the Agreement will be increased to \$1,579,000.