



Office of the City Manager

CONSENT CALENDAR  
November 15, 2022

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Amendments to On-Call Waterfront Engineering, Design, Environmental Permitting and Construction Administration Services Contract No. 32000261 with COWI North America, Inc, and Contract No. 32000263 with Transystems Corporation

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to execute amendments to Contract No. 32000261 with COWI North America, Inc., and Contract No. 32000263 with Transystems Corporation, for on-call waterfront engineering, design, environmental permitting and construction administration services by increasing the contract amount by \$1,000,000 and the duration by twelve months each, from June 30, 2023 through June 30, 2024, to a total not-to-exceed amount of \$2,000,000 each.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the consultant contracts is anticipated to come from several sources: Measure T1; outside grants (county, regional, state, transportation, etc.); Capital Improvement Funds; and other sources as they become identified. As funding becomes available and projects are developed, funding will be appropriated in the City's annual Capital Improvement Budget, and task orders will be processed to assign the work.

CURRENT SITUATION AND ITS EFFECTS

The City manages a list of on-going waterfront capital projects that need to be designed and permitted within the next three years per the requirements of the funding sources comprised of Measure T1, Capital Improvement Funds, and outside grants. Some of the upcoming waterfront projects include:

- South Cove Sailing Basin Dredging Planning Project;
- Cesar Chavez Park Restroom (on Spinnaker Way) Design and Construction;
- K-Dock Restroom Renovation Design and Construction; and
- Tom Bates Fieldhouse Design and Construction;
- Additional Waterfront projects to be funded by the one-time \$15 million allocation from the state.

The current not-to-exceed contract amounts for the these two on-call professional consultant firms are projected to be depleted by December 31, 2022. In order to complete these projects in a timely manner, staff recommends increasing the length of time on these two existing contracts by 12 months and increasing the contract authority by \$1,000,000 each.

### BACKGROUND

On April 6, 2020, the City issued a Request for Qualifications (RFQ) for on-call waterfront engineering, design, environmental permitting and construction administration services (Specification No. 19-11341-C). The City received Statements of Qualifications (SOQs) from eight professional consultant firms. After evaluation of the SOQs by the review panel, the City selected four firms: Anchor QEA LLC; COWI North America, Inc.; Moffatt & Nichol; and Transystems Corporation. On June 2, 2020, Council authorized a \$1,000,000 contract for on-call waterfront engineering, design, environmental permitting and construction administration services with Anchor QEA LLC; COWI North America, Inc.; Moffatt & Nichol; and Transystems Corporation, respectively, for the period June 15, 2020 through June 30, 2023 (Resolution No.'s 69,428-N.S., 69,429-N.S., 69,430-N.S., and 69,431-N.S.)

Approximately every three years, the Department of Parks, Recreation, and Waterfront (PRW) conducts a competitive Request for Qualifications process (RFQ) for On-Call professional consultant services. This reduces the need for multiple RFQ processes and reduces the time it takes to complete a project, sometimes by up to two years. The next RFQ process will be conducted in FY2024.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no anticipated negative environmental effects associated with this action. These contract amendments will help ensure successful completion of waterfront capital improvement projects that will incorporate the sourcing of sustainable and renewable resources used in construction projects, as well as complying with all regulatory agency requirements from the San Francisco Bay Conservation Development Commission (BCDC), California Fish and Wildlife, the U.S. Army Corp of Engineers, and the San Francisco Bay Regional Water Quality Control Board. This promotes environmental sustainability and meets the Strategic Plan goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

### RATIONALE FOR RECOMMENDATION

The on-call professional consultant firms have the required expertise to help ensure successful completion of waterfront capital improvement projects and to support the City's on-going capital program needs. City does not have sufficient in-house staff to provide these services.

### ALTERNATIVE ACTIONS CONSIDERED

None

Amendment to Contract No. 32000261(COWI North America, Inc)  
And Contract No. 32000263 (Transystems Corporation)

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**CONTACT PERSON**

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**Attachments:**

1: Resolution: COWI North America, Inc.

2: Resolution: Transystems Corporation

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32000261 AMENDMENT: COWI NORTH AMERICA, INC. FOR ON-CALL WATERFRONT ENGINEERING, DESIGN, ENVIRONMENTAL PERMITTING AND CONSTRUCTION ADMINISTRATION SERVICES

WHEREAS, on June 2, 2020 by Resolution No. 69,429-N.S. the City Council authorized Contract No. 32000261 with COWI North America, Inc. in an amount not-to-exceed \$1,000,000 for on-call waterfront engineering, design, environmental permitting and construction administration services for various Berkeley Waterfront capital improvement projects through June 30, 2023; and

WHEREAS, the current contract not-to-exceed amount is projected to be depleted by December 31, 2022 and the City has need of COWI North America, Inc.'s continued consultant services through June 30, 2024; and

WHEREAS, City does not have in-house staff to provide these services; and

WHEREAS, funding will be identified and appropriated as projects arise, and task orders will be processed to assign the work.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000261 with COWI North America, Inc. for waterfront engineering, design, environmental permitting and construction administration services increasing the amount by \$1,000,000 for a revised contract amount not to exceed \$2,000,000, and extending the contract to June 30, 2024.

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32000263 AMENDMENT: TRANSYSTEMS CORPORATION FOR ON-CALL WATERFRONT ENGINEERING, DESIGN, ENVIRONMENTAL PERMITTING AND CONSTRUCTION ADMINISTRATION SERVICES

WHEREAS, on June 2, 2020 by Resolution No. 69,431-N.S. the City Council authorized Contract No. 32000263 with Transystems Corporation in an amount not-to-exceed \$1,000,000 for on-call waterfront engineering, design, environmental permitting and construction administration services for various Berkeley Waterfront capital improvement projects through June 30, 2023; and

WHEREAS, the current contract not-to-exceed amount is projected to be depleted by December 31, 2022 and the City has need of Transystems Corporation's continued consultant services through June 30, 2024; and

WHEREAS, City does not have sufficient resources to provide these services; and

WHEREAS, funding will be identified and appropriated as projects arise, and task orders will be processed to assign the work.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000263 with Transystems Corporation for waterfront engineering, design, environmental permitting and construction administration services increasing the amount by \$1,000,000 for a revised contract amount not to exceed \$2,000,000, and extending the contract to June 30, 2024.

