Consider authorizing the General Manager to execute an Amendment to L. Luster and Associates (LLA) with A Squared Ventures contract 2016-1379 for an extension of time and additional funds in support of the East Bay Bus Rapid Transit (BRT) Project.

BACKGROUND/RATIONALE:

Under the current contract, which expires on April 30, 2018, L. Luster and Associates is providing outreach services to the District on the BRT project. In the Board approved Project Completion Plan (SR 17-132) the BRT project is projected to be completed in December 2019. This action is consistent with the Board approved Project Completion Plan (PCP) which forecasts project completion in December 2019. In the same plan staff forecasted a total need of $9.5 million for all professional services to meet the forecasted revenue service in December 2019. The BRT project is on schedule and on budget to meet the Board approved PCP forecast opening date of December 23, 2019. This contract amendment is necessary due to the revised project completion date and the need for outreach services through the remainder of construction and the launch of revenue service. Staff requests the Board authorize the General Manager to amend the L. Luster and Associates contract to extend the performance period for 20 months and add $1,210,830.00 to the contract value.

BUDGETARY/FISCAL IMPACT:

The performance period for the proposed L. Luster and Associates contract amendment will be from May 1, 2018 to December 31, 2019 to account for the remainder of BRT project construction and the launch revenue service. The cost of the contract amendment is $1,210,830.00. As the services are for the BRT project, the contract will be paid for with existing and planned BRT funds.

The current contract which has a total value of $1,247,785.48, has been closely monitored on a monthly basis using the District’s invoice estimator system and close monitoring of monthly expenditures and staff hours. As a result, a total of $10,000 is available to be carried forward to this new contract. These carry forward funds have been accounted for in the total new contract value.
ADVANTAGES/DISADVANTAGES:

The advantage of extending the contract and allocating additional funds is that L. Luster and Associates can continue supporting the District in performing the outreach services through construction and through the launch of revenue service. Retaining L. Luster and Associates will ensure continuity in outreach services and relationships that have been established by the current team over the past four years and are critical to successfully complete the construction.

There are no disadvantages in amending the L. Luster and Associates contract.

ALTERNATIVES ANALYSIS:

Staff considered not issuing the contract amendment and instead resoliciting the contract for outreach services. Staff doesn’t recommend this alternative as the project is currently in major construction and the impact of issuing a new solicitation is that the continuity of outreach services would be disrupted during a critical period of construction.

Additionally, the relationships that the current team has built with community stakeholders would be dissolved and building new relationships at this point in the project would likely prove difficult and disadvantageous to the project.

Staff also considered extending the outreach services contract only for the period needed for the District to resolicit, award new contract, and transition to a new firm. Staff doesn’t recommend this option as it will cost District more time and effort to reengage with a new firm to provide the outreach services and building relationships with community stakeholders as the current team has done would be difficult to do while the project is in major construction.

PRIOR RELEVANT BOARD ACTIONS/POLICIES:

Staff Report – 16-150a Contract Award, RFP 2016-1379 Community Outreach and Public Engagement Services for East Bay Bus Rapid Transit (BRT) Project

Staff Report – 16-150 Authorization to issue a Request for Proposals (RFP) for Community Outreach and Public Engagement Services

Staff Report – 17-132 Consider approving the East Bay Bus Rapid Transit Project Completion Plan (PCP) inclusive of the financed funding plan for submittal to the Federal Transit Administration.

ATTACHMENTS:
1. L. Luster & Associates Amendment Cost Summary
2. Scope of Work
Approved By: Beverly Greene, Executive Director of External Affairs, Marketing, Communications
Reviewed By: Claudia Allen, Chief Financial Officer
Ramakrishna Pochiraju, Executive Director of Planning and Engineering
Denise C. Standridge, General Counsel
Sharon Dennis, Acting Procurement Director
Prepared by: Claudia Burgos, External Affairs Representative
### Task 1  Management/Coordination/Administration

<table>
<thead>
<tr>
<th>Resource</th>
<th>Est. Hours</th>
<th>Resource Cost*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>60</td>
<td>$11,536.80</td>
<td></td>
</tr>
<tr>
<td>PLA/CCP Administration</td>
<td>157</td>
<td>$28,504.58</td>
<td></td>
</tr>
<tr>
<td>Community Construction Relations Manager</td>
<td>270</td>
<td>$28,143.72</td>
<td></td>
</tr>
<tr>
<td>Community Construction Relations Manager</td>
<td>270</td>
<td>$23,337.43</td>
<td></td>
</tr>
<tr>
<td>Community Outreach/PR Specialist</td>
<td>174</td>
<td>$14,440.20</td>
<td></td>
</tr>
<tr>
<td>Administration and Management Support</td>
<td>200</td>
<td>$11,334.40</td>
<td></td>
</tr>
</tbody>
</table>

**Task Cost $117,297.13**

### Task 2  Project Labor Agreement & Construction Careers Policy Administration

<table>
<thead>
<tr>
<th>Resource</th>
<th>Est. Hours</th>
<th>Resource Cost*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLA/CCP Administration</td>
<td>831</td>
<td>$150,652.11</td>
<td></td>
</tr>
<tr>
<td>PLA/CCP Field Support</td>
<td>1,057</td>
<td>$84,854.77</td>
<td></td>
</tr>
<tr>
<td>PLA/CCP Manager</td>
<td>1,057</td>
<td>$84,854.77</td>
<td></td>
</tr>
</tbody>
</table>

**Task Cost $320,361.65**

### Task 3  Construction Community Relations, Outreach & Public Engagement

<table>
<thead>
<tr>
<th>Resource</th>
<th>Est. Hours</th>
<th>Resource Cost*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Construction Relations Manager</td>
<td>2,838</td>
<td>$295,824.24</td>
<td></td>
</tr>
<tr>
<td>Community Construction Relations Manager</td>
<td>2,838</td>
<td>$245,304.35</td>
<td></td>
</tr>
<tr>
<td>Community Outreach/PR Specialist</td>
<td>2,314</td>
<td>$192,080.08</td>
<td></td>
</tr>
</tbody>
</table>

**Task Costs $733,208.67**

**TOTAL LABOR COSTS** $1,170,861.46  
**DIRECT COSTS** $49,962.54  
**TOTAL PROPOSED COST** $1,220,830.00

* Fully burdened rates; escalated at 3% in year 2

Carry Forward Funds from current contract $ (10,000.00)

**Total Amended Cost** $1,210,830.00

1/10/2018
I. **General Assumptions**

- The District’s Legislative Affairs and Community Relations Department staff (LA/CR) will direct the Community Outreach and Public Engagement program.
- The awarded consultant is expected to begin service on May 1, 2018.
- BRT revenue service start date is projected to be December 2019.
- The level of effort is based on construction and project closeout duration of approximately 20 months starting May 1, 2018.
- The District awarded the construction contract to O.C. Jones & Sons Inc. (Contractor) from Berkeley, CA, on March 14, 2016.
- The District issued Limited Notice-To-Proceed (LNTP) to the Contractor on April 26, 2016 to start the pre-construction activities (submittals, permit applications, construction schedule, etc) and light construction activities (survey, potholing, etc.). The heavy civil construction activities began in January 2017.
- Project team will be available during construction to answer questions, review and respond to construction related community concerns, inquiries, and emergencies.
- This is a federally funded project, solicitation and services will be performed in accordance with Federal Transit Administration (FTA) requirements.
- The awarded consultant will be functioning from the project’s Information Center (3322A International Blvd.) in the Fruitvale District. It is anticipated that the outreach team will work out of this office at approved hourly field rates not to exceed 125%. The Information Center office maintenance, daily office supplies and are provided by the contractor team.
- The District will provide 1 Full-Time-Employee (FTE) to operate the Information Center.
- The District will be responsible to pay the rent and utilities of the Information Center.

II. **SCOPE OF WORK**

Implement the Community Outreach and Public Engagement Services Program based on the District’s Project Management Plan (PMP), Construction Impact Mitigation Plan (CIMP), Construction Management Plan (CMP), Parking Impact & Improvement Plan (PIIP) and others as deemed appropriate by the District.

The consultant shall provide the services of the following key personnel (refer to detailed Qualifications Criteria provided for each of the positions listed below):

- PLA/CCP Administrator - (1 FTE)
- Construction Community Relations Manager (CCRM) – (2 FTE)
- Outreach/PR Specialist – (0.75 FTE)
Task 1 – Management / Coordination / Administration

Provide overall project management, coordination with the District, monthly progress reports, and invoicing. This effort will include the following elements:

a. Work with District staff (LA/CR) to organize and layout work for the project staff.
b. Prepare monthly expenditures and outreach team scope activities.
c. Prepare invoices along with progress reports describing the public outreach and engagement services provided each month per District’s requirements for grant reporting.
d. Provide pre-monthly invoicing estimates for the outreach team in coordination with the District’s LA/CR Department staff prior to the initiation of services the following month.
e. Provide weekly progress reports for all public outreach and engagement activities.
f. Contractor will work in coordination with District staff and to the extent possible shall coordinate outreach activities with Cities of Oakland and San Leandro outreach activities regarding the project.

Task 2 - Project Labor Agreement and Construction Careers Policy Administration (PLA/CCP)

Provide overall PLA/CCP management, administration, coordination with the District, coordination with stakeholders, monthly progress reports, and invoicing. This effort will include the following positions and elements specific to those positions:

**PLA/CCP Administrator (1 FTE)**

a. Update and maintain contact list of workforce development organizations
b. Meetings/notes/log with local businesses regarding BRT employment/contracting opportunities
c. Conduct monthly review of BRT contractor certified payrolls; preparation of monthly compliance reports (contract and labor).
d. Conduct weekly construction site visits for labor compliance monitoring.
e. Monitor certified payrolls against contractor employment hiring plans for compliance with the 50% Bid Package 3 local hiring goals.
f. Prepare local hire utilization reports for PLA/CCP advisory committee.
g. Schedule and participate in non-compliance meeting for contractors failing to meet the local hire goals and development of corrective action plans.
h. Schedule, participate in and provide meeting minutes/notes for Joint Administrative Committee and other PLA related meetings.
i. Provide quarterly BRT updates to union affiliates and Alameda County Building Trades Council leadership.
j. Work in coordination with District’s Contract Compliance Administrator.
k. Contribute to PLA/CCP activities related information for staff reports for Policy Steering Committee, AC Transit Board of Directors, FTA and monthly project reports as needed.
Task 3 – Construction Community Relations, Outreach and Public Engagement

Provide overall outreach and public engagement project management, coordination with the District, monthly progress reports, and invoicing. This effort will include the following positions and elements specific to those positions:

**Construction Community Relations Managers (CCRM) – (2 FTE)**

- a. Maintain regular and ongoing communication (by phone and in-person) with BRT corridor businesses, residents, and other stakeholders.
- b. Provide regular project updates to BRT corridor businesses, residents, and other stakeholders.
- c. Serve as liaison between BRT corridor businesses, residents, other stakeholders and BRT leadership, construction managers and contractors.
- d. Work with District staff to research issues raised by community members, draft responses and provide responses to community members in a timely manner.
- e. Provide assistance in resolving construction related issues in the field.
- f. Schedule meetings, prepare agendas, take notes and participate in existing ongoing and other as-needed community meetings with corridor merchants, residents, schools, neighborhood groups and other organizations to keep them informed of BRT activities.
- g. Disseminate BRT and project related District informational materials, flyers, memos, and presentations to stakeholders.
- h. Represent District and BRT program at public events and meetings.
- i. Respond to community and stakeholder requests for project information and materials.
- j. Assist the District and construction management team in ensuring all construction activities are in compliance with Construction Impact Mitigation Plan.
- k. Maintain database for public, business, residents and stakeholder contact information, notifications, interactions, enquiries, issues and issue resolutions in Salesforce.
- l. Maintain CCRM daily interactive log regarding construction issues that arise along 9.5 mile BRT corridor. Daily log shall contain actionable items with proposed steps for resolving the issue and should be maintained in the Salesforce project database.
- m. Prepare, circulate for review and approval and distribute pre-construction and construction advisory notices that coordinate with the required contractor notifications.
- n. Maintain and share with the District meeting minutes of all internal and external (community) meetings, presentations and activities. Documents should all be maintained in District specified database.
- o. Participate in Community Outreach Team meetings; prepare agendas and notes as needed
- p. Contribute to Community Outreach and Public Engagement activities related information for staff reports for Policy Steering Committee, AC Transit Board of Directors, FTA and monthly project reports as needed.
- q. Work with Outreach/PR Specialist to update BRT Informational materials.
- r. Maintain BRT project related materials and displays at the project’s Information Center.
s. Attend weekly construction progress meetings to provide update on community outreach and public engagement activities to the construction management team and the contractor.

t. Assist in update and implementation of Community Outreach Work Plan.

u. Contribute to revision of BP 3 Construction Impact Mitigation Plan as needed.

v. Assist in implementation of Construction Impact Mitigation Plan

w. Assist in the staffing of BRT Information Center as needed to ensure full-time coverage

x. Greet BRT Information Center visitors and provide BRT and District Information.

y. Answer BRT Hotline calls (in office or cell) during assigned shift(s)

z. Contribute to the maintenance of visitor’s log for the BRT Information Center

aa. Work in collaboration with District staff to maximize coordination with the Cities of Oakland and San Leandro.

bb. Proactively look for opportunities to engage with stakeholders and share project information and updates

cc. Disseminate Clipper information to riders and stakeholders as the project nears completion and approaches revenue service.

dd. Serve as project ambassadors during initial months of revenue operations.

e. Provide residents, merchants, and other stakeholders information regarding other resources available through agency partners.

**Outreach/PR Specialist (0.75 FTE)**

a. Provide planning and implementation support for BRT events to include open houses, tours, and groundbreaking and other benchmark activities.

b. Update BRT hotline scripts with project information in as needed to convey latest project updates in English, Spanish, Mandarin, and Vietnamese.

c. Assist District Legislative Affairs & Community Relations, Media Relations, and Marketing Departments to keep the public informed of BRT activities by providing support for production of newsletters, community news and social media items.

d. Provide social media monitoring and response protocol.

e. Review and edit of the construction advisory notices generated by CCRMs, and arrange for translation into Chinese, Spanish and Vietnamese

f. Provide ready-to-publish written content and imagery for BRT website and social media channels, including construction updates, human interest stories, meetings, and related documents

g. Provide assistance with coordinating the BRT grand opening event

h. Provide graphic design support and assist with production of updated BRT fact sheets and PowerPoint presentations

i. Prepare social media posts, emails and blurbs for insertion into community papers and newsletters to share project updates and milestones.