TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Contract award to Diablo Engineering Group for technical liaison, stakeholder agency coordination, and Traffic Control Coordinator Services

ACTION ITEM

RECOMMENDED ACTION(S):

Consider authorizing the General Manager, or his designee, to execute a sole source contract with Diablo Engineering Group to provide technical liaison, stakeholder agency coordination, and traffic control coordinator services for the East Bay Bus Rapid Transit (BRT) project.

BACKGROUND/RATIONALE:

The 9.5 mile BRT project is within the jurisdiction of the City of Oakland and the City of San Leandro. In addition, the California Department of Transportation (Caltrans) owns and operates the right of way for half of the BRT alignment. Each agency manages their jurisdiction and/or right of way with specific design and/or construction standards and requirements. A significant effort has been needed to identify and resolve any and all design and construction standards/requirements between the multiple agencies.

Garrett Gritz, Professional Engineer with Diablo Engineering Group has provided technical services across almost all departments within the City of Oakland. Throughout the project development process, Mr. Gritz became a trusted extension of the City of Oakland’s staff, management team and elected officials. Now that the BRT project is under construction, Mr. Gritz is representing the District and continues to work closely with the City of Oakland, City of San Leandro, Caltrans, and District staff to resolve issues related to unforeseen conditions, bus stop locations and getting approval of the Traffic Control Plans (TCPs). Given Mr. Gritz’s historical project knowledge and the trust that he has earned with the District and other agency staff, it is in the District’s best interest to directly contract with Diablo Engineering Group for expedited review, response, and issuance of permits for the BRT project. Before Mr. Gritz acted in the stakeholder Coordinator role, the construction was delayed due to the time it took for both the resident engineer and assistant resident engineer to get submittal review and approvals from the agencies. Diablo Engineering is currently performing project tasks through a Capital Projects’ On-Call A&E contract as a sub consultant. Diablo Engineering Group is a certified Disadvantaged Business Enterprise, City of Oakland Very Small Local Business, Alameda County Small Local, Emerging Business, and a recognized Small-Local Business Enterprise (SLBE) by the District’s Contracts Compliance Department. Staff requests the Board to authorize sole source contracting with Diablo Engineering Group for a performance period starting January 2018 to December 2019.
BUDGETARY/FISCAL IMPACT:

The proposed contract with Diablo Engineering Group will run from January 2018 through December 2019 to account for BRT project construction and follow-up. The total cost of the contract is $775,000. As the services are for the BRT project, the contract will be paid for with existing and planned BRT funds.

ADVANTAGES/DISADVANTAGES:

The primary advantage is that the District will realize cost savings by not having to pay a 15% markup to the prime on-call contractor by directly contracting with Diablo Engineering Group.

ALTERNATIVES ANALYSIS:

Mr. Gritz of Diablo Engineering Group can continue to provide services for the BRT project as a sub-consultant under the existing On-Call A&E contractors. Staff doesn’t recommend this option as it exhausts the On-Call A&E contract capacity and those services will not be available for the District’s other capital project needs.

PRIOR RELEVANT BOARD ACTION/POLICIES:

None

ATTACHMENTS:

1: City Letter
2: Sole Source Justification
3: Scope of Services

Approved by: Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Reviewed by: Denise Standridge, General Counsel
Claudia Allen, Chief Financial Officer
Chris Andrichak, Director of Management and Budget
Sharon Dennis, Acting Director of Purchasing and Materials
Craig Lymus, Contracts Service Manager
Phillip McCants, Contracts Compliance Administrator

Prepared by: Ramakrishna Pochiraju, Executive Director of Planning & Engineering
December 11, 2017

Mr. Ramakrishna Pochiraju
AC Transit East Bay Bus Rapid Transit
1600 Franklin Street
Oakland, Ca 94612

Mr. Pochiraju,

The City of Oakland strongly encourages AC Transit to assign Diablo Engineering Group, specifically Garrett Glitz, to be the dedicated technical liaison and technical advisor between the City of Oakland Staff and the AC Transit construction management team.

Mr. Glitz has been working on the BRT project over 5 years – providing technical coordination services across many departments within the City of Oakland. Throughout the design phase, Mr. Glitz established important professional relationships with many of the City’s project managers. These relationships will certainly help facilitate timely reviews and approvals of future technical solutions. I personally rely upon Mr. Glitz’s historical knowledge of the project and his recollection of various decisions that were made by City team members during the design and project approval phase.

AC Transit should immediately assign a person to act as technical liaison and technical coordinator between the City of Oakland Staff and the AC Transit construction management team. In my opinion, the absolute best person that can perform this assignment is Garrett Glitz, Diablo Engineering Group. No one else has the necessary experience or established relationships needed to facilitate expediting the review and approval of contractor submittals, resolving design related field conflicts and coordinating the development of technical solutions, especially at this critical stage of the project construction and with the schedule deadlines that AC Transit faces.

Sincerely,

Joseph Tanios
Construction Inspection Supervisor II
Project Delivery Division
Bureau of Design and Construction
City of Oakland | Oakland Public Works

cc: Danny Lau, OPW file
Multi-Agency Jurisdiction and Coordination

The 9.5 mile BRT route is within the jurisdiction of the City of Oakland and the City of San Leandro. In addition, the California Department of Transportation (Caltrans) owns and operates the right of way for half of the BRT alignment. Each agency manages their jurisdiction and/or right of way with specific design and/or construction standards and requirements. Often, these standards and requirements are different between each agency. A significant effort has been needed to identify and resolve any and all design and construction standards/requirements between the multiple agencies.

Diablo Engineering Group is a certified

✓ California Disadvantaged Business Enterprise
✓ City of Oakland Very Small Local Business
✓ Alameda County Small Local, Emerging Business

Justification for Securing Diablo Engineering Group

The following summarizes the criteria used to justify the exception from the competitive procurement process to secure the services of Diablo Engineering Group (Garrett Gritz, PE) for the BRT Project.

✓ Exception Criteria #1 – Only one known source exists for services.
  • Mr. Gritz of Diablo Engineering Group as he became trusted team member of the AC Transit (District) and Right-of-Way authorities due to his direct involvement with many staff and elected officials throughout the development of the design and Construction and decision making process.

✓ Exception Criteria #2 – The requested provider of services has unique or exclusive capabilities that no other provider has:
  • No other person has the trusted relationship with the most prominent jurisdictional agency along the BRT Project corridor – the City of Oakland and historical knowledge of the project.

✓ Exception Criteria #3 – No other reasonable alternative source exists that meets the agency requirements:
  • It may be possible for another California professional engineer to ascertain an equivalent technical and historical understanding of the project issues. However, there is an immediate need for AC Transit to procure the skills and services Garrett currently possesses.
SR 18-022
Attachment 3

Scope of Services
Traffic Control & Stakeholder Agency Coordinator and Technical Liaison
East Bay Bus Rapid Transit Project

STAFFING RESPONSIBILITIES AND QUALIFICATION REQUIREMENTS

This section identifies the staffing positions, qualifications, responsibilities and Level of Effort (LOE) deemed appropriate for the BRT Construction Management Support Team.

The labor staffing categories are listed below followed by the scope and required qualifications for each of the positions being requested under the CM Scope of Work:

A. Technical Liaison / Traffic Control Coordinator – 1 FTE

Service period is identified from Jan 1, 2018 to Dec 31, 2019.

Full time personnel proposed for this assignment shall be considered committed to this project at least full time for first 12 months, 75% of the time for next 6 months, and 25% for last 6 months. Any change of personnel shall require the approval of AC Transit. If AC Transit is unsatisfied with the performance of staff, the Offeror shall remove and replace said staff with other candidates approved by AC Transit. If there is not a suitable replacement with the Prime or its subcontractors, AC Transit may substitute said position(s) with those provided by AC Transit (or by another Contractor under AC Transit direction).

Removal from Service
Consultant agrees that any employee who is the subject but not limited to the Consultant’s internal disciplinary process for any of the following offenses shall be removed by the Consultant from providing service under this Contract pending the results of Consultant’s internal disciplinary process. Removal from service conduct includes the following:
- Committing incorrect or inappropriate acts while providing service
- Failure to follow AC Transit’s policies and procedures
- Conviction of any felony criminal offense
- Multiple missed deadlines
- Sexual misconduct
- Multiple failures to adequately and timely notify AC Transit of threats or delays to the project’s success

Required Qualifications

A. Traffic Control Coordinator/Agency Coordinator (1 FTE)

Responsibilities – Traffic Control Coordinator

1) Coordinate the processing of Traffic Control Plans, which includes facilitating coordination meetings with engineers and support personnel from Caltrans, the City of Oakland, the City of San Leandro, AC Transit and the construction management team.

2) Collaborate with the BRT Contractor (OC Jones, Inc.) and the Contractor’s design
consultants during the development of the Traffic Control Plans (TCPs). Attend TCP workshop meetings with the Contractor and the Contractor's consultants. Participate with the Contractor in the development of sequencing diagrams, sequencing matrices, pedestrian circulation patterns, bus stop relocations and transition areas between construction zones.

3) Develop and maintain sequencing matrices for each construction zone to facilitate the proper public notifications of bus stop relocations.

4) Evaluate the TCPs and back check the TCPs to be in general conformance with the Construction Impact Mitigation Plan.

5) Consolidate and reconcile one set of review comments from Caltrans, the City of Oakland, the City of San Leandro, AC Transit and/or the construction management team. Communicate review comments with the Contractor and the Contractor's consultants. Facilitate the review and resolution of TCP comments and revisions.

6) Coordinate the review and reconciliation of all TCP comments to obtain approval of the TCPs from the City of Oakland, Caltrans and/or the City of San Leandro.

7) Serve as a liaison and coordinate with appropriate AC Transit internal departments. This includes meeting with AC Transit personnel to locate new, interim and/or temporary bus stops within each construction zone. Coordinate with AC Transit personnel to develop public notifications associated with bus stop relocations.

8) Coordinate with other concurrent non-BRT related construction projects (EBMUD waterline relocation work, PG&E electrical distribution conduit work, City of Oakland ADA Contractor work, City of Oakland Sidewalk and Lighting Contractor work, etc.) to minimize disruptions to O CJ's BRT work and to minimize traffic impacts.

9) Coordinate frequently with the Staff from the City of Oakland and the City of San Leandro to review technical proposals from the construction management team and make sure the overall project construction efforts are consistent with the expectations from each City.

10) On an as requested basis, the Traffic Control Coordinator is to be available to the Contractor, the Construction Management Inspectors, AC Transit, the City of Oakland Personnel, the City of San Leandro Personnel and Caltrans Personnel as an advisor to evaluate recommended alternative traffic control adjustments that may be needed throughout the construction process. The Contractor and the Contractor's traffic control designer are responsible for the safe and efficient flow of vehicles, pedestrians and bicyclists through the construction areas. The Traffic Control Coordinator does not direct the Contractor's operations or implementation of traffic control devices.
Scope of Services
Traffic Control & Stakeholder Agency Coordinator and Technical Liaison
East Bay Bus Rapid Transit Project

Responsibilities – Agency Coordinator

1) The Agency Coordinator is responsible for coordinating with the AC Transit organization, the construction Management Team, the Contractor, local agencies, Engineer of Record, and utility companies. Coordination services are primarily related to discussing and resolving technical engineering issues.

2) Coordinate the processing of field changes from the Engineer of Record. This includes collaborating with the Engineer of Record to develop probable design solutions that may likely be approved by the local agency, collaborating with local agencies (City of Oakland, City of San Leandro, Caltrans and EBMUD), and facilitating discussions with utility companies.

3) The Agency Coordinator is not responsible for performing engineering designs or drawings. However, the Agency Coordinator must be currently registered as a Professional Engineer in the State of California and must have at least 15 years of engineering design experience directly related to public street improvements.

Required Qualifications – Traffic Control Coordinator/Agency Coordinator

Education: Bachelors of Science Degree and 15 years of directly related experience or an equivalent combination of education and experience sufficient to successfully collaborate and coordinate with assigned project design/construction professionals the essential duties of the job such as those listed below:
A. Traffic control practices, procedures and incident management
B. Manual of Uniform Traffic Control Devices
C. Basic construction practices
D. Safe work practices in traffic control zones
E. Applicable federal, state, and local laws, rules, ordinances, statutes, and regulations
F. Public relations principles
G. Prepare a variety of reports
H. Compile and analyze data
I. Interpret complex documents
J. Assist in preparing collateral and marketing materials
K. Communicate with Contractors and Civil Inspectors to find resolutions to conflicts.

L. Must have or can quickly develop a strong working relationship with local agencies – City of Oakland, City of San Leandro, Caltrans and EBMUD.