

June 24, 2019

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Minor, Beth

From: Rice, Danille
Sent: Friday, June 21, 2019 11:24 AM
To: Council, City
Cc: Council Agenda Email; ORG - Clerk's Office; ORG - Manager's Office; Stump, Molly; Batchelor, Dean; Lait, Jonathan; O'Kane, Kristen; Eggleston, Brad
Subject: June 24 Council Consent Agenda Questions for Items 3, 4, 5, 8, 9, 10, 13, 18

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Council Question Response

Dear Mayor and Council Members:

On behalf of City Manager Ed Shikada, please find below the staff responses to inquiries made by Council Member Tanaka and Council Member DuBois in regard to the June 24, 2019 Council Meeting agenda.

- **Item 3:** Cross Bore Verification Program Phase II FY 2020–FY 2021
- **Item 4:** Gas Service Replacement Project FY19
- **Item 5:** Approve Permit and Citation System Contract
- **Item 8:** Tree Pruning and Removal Services Contract Extension
- **Item 9:** Approval of Highway 101 Bike Bridge Design Contract Amendment and Resolution for Freeway Agreement
- **Item 10:** Approval of Cubberley Community Center Field Synthetic Turf Replacement and Track
- **Item 13:** Amendment No. 3 for Charleston-Arastradero Corridor Project
- **Item 18:** Approval of Contract of \$716,000 with Artist Peter Wegner for Public Safety Building Public Art

Item 3: Cross Bore Verification Program Phase II FY 2020–FY 2021 (Questions provided by Council Member Tanaka)

1. **What proves that this company has done satisfactory work?**
AIMS is currently under a contract with Utilities Operations for on-call cross bore verification service when new gas services are installed. They have demonstrated the ability to perform the cross bore verification work. Staff also checked referenced of AIMS' current/past projects and received positive feedback from other agencies.
2. **What shows that AIMS is best for the city?**
Staff received the bids through a formal solicitation process. The City is required to award the contract to the lowest responsive and responsible bidder for Public Works construction contracts. In this case, AIMS was determined as the lowest responsive and responsible bidder.
3. **The requirements that determine whether the pipeline is a priority is listed, but what were the findings? As in, what specifically was found from the list that distinguishes the 2,500 priority pipelines from the 6,049 other ones?**
Staff identified these 2,500 high priority laterals through a risk assessment process that included factors such as: type of structure the gas line was serving, gas pipe material, the method of gas service installation, proximity of the gas and sewer pipes, and whether the gas service line had

an automatic shutoff valve. The 2500 laterals chosen were the laterals with the highest risk for a cross bore.

4. The prices AIMS is drastically lower than other companies, so what is the reason for that? (Refer to averages)

Staff discussed the pricing with AIMS. AIMS stated that they have extensive experience performing cross bore verification work for PG&E and other agencies. AIMS is confident with the price they proposed to meet the contract requirements.

5. The contract is for \$1,732,250 but AIMS charges \$827,000. What is the extra money for?

AIMS's bid price is 45% below the Engineer's Estimate. Since there is available funding, staff recommends increasing the number of sewers lateral inspected from 1,200 to 2,500 to accelerate the inspection of higher risk laterals.

Item 4: Gas Service Replacement Project FY19 (Questions provided by Council Member Tanaka)

1. What research proves that ABS and Tenite is harmful for natural gas pipelines?

The City has extensive experience with ABS and Tenite pipe used in the gas system. These materials become brittle overtime and develop cracks resulting in leaks. These materials were used in the 1950's and 1960's for gas distribution systems and have subsequently been taken off the market due to failures and short life span. In addition, ABS and Tenite pipes do not have tracer wires, therefore they are difficult to locate and more susceptible to excavation damage.

2. Is Daleo's bid more expensive given the other bid has increased in price? Was Daleo given a chance to counter-bid as a result?

When the project went out to bid the first time, Daleo was the sole bidder. The bid price exceeded the engineering estimate by about \$850K or 64%. Daleo's high bid was rejected due to insufficient funding. Staff reduced the project scope, modified the project specifications, increased the unit costs for engineering estimate, and amended the budget for rebid. The 2nd time we received 2 bids. Daleo again submitted a bid; however, ARB was the lowest responsible and responsive bidder. Daleo's second bid was lower than their first bid by \$133,224.

1 st Bid	Engineering Estimate	Daleo	
		\$1,317,575	\$2,166,099
2 nd Bid	Engineering Estimate	Daleo	ARB
		\$1,524,100	\$2,032,875

Counterbids are not allowed on IFBs for Public Works construction contracts. The award goes to the lowest responsible and responsive bidder.

3. What makes MDPE more reliable (as in, what studies can prove this fact?)

Polyethylene (PE) gas pipes are the preferred natural gas distribution piping material of choice with over 90% usage in North America today. Benefits of PE gas pipes include high slow crack growth resistance, corrosive resistance, flexibility, easy handling, and it can be joined by heat fusion which makes it less prone to leaks. They have been proven and used since 1960's. The specified PE pipe and fitting materials comply in accordance to several American Society for Testing and Materials Standards such as ASTM D3350, ASTM D2513, and ASTM F2897.

4. **The report says there are no complaints with ARB Inc, and that the DIR was in good relations with them. Where is the evidence of the prior work they completed well?**

ARB has completed numerous projects for PG&E, Southern California Gas Company, and San Diego Gas & Electric within the past decade. Staff has contacted these agencies and received positive feedback related to ARB's capability, performance, and professionalism.

Item 5: Approve Permit and Citation System Contract (Questions provided by Council Member Tanaka)

1. **What did Duncan Solutions and Data ticket propose during the selection process?**

Both vendors are capable of building a system which meets the City's requirements in the RFP. Most of the vendors who submitted a proposal provided an online customer-facing system capable of processing thousands of permits and citations with a high level of customization. Duncan and DataTicket were chosen as our finalists based on the level of service, experience with complex parking programs, and cost.

2. **What are the customer reviews for Duncan Solutions?**

Based on references, reputation and years in the parking industry, Duncan is highly ranked and regularly in the upper tier as a parking software and hardware provider.

3. **What makes the system in place right now unmanageable?**

Many processes can be updated to create efficiencies in staff productivity. In this case, the system provides the opportunity to better and more consistently manage all of the City's parking programs. City Staff and a Contractor are currently managing seven parking permit programs in Palo Alto, managing programs online and manually. Our online programs often crash during renewal season and cannot provide basic system and accounting reports without support from a subcontractor. The division between each program often causes regular pain points for customers and staff, diminishing the level of customer service the residents expect. The proposed system will provide a one-stop shop for parking, improving the customer interface while giving staff the tools to manage accounts and transactions. The agreement would also include a new parking website, operated by a core group of staff, reducing the difficulties of coordinating with multiple departments on parking-related requests.

4. **What makes this company best for the city?**

Duncan provides similar services for comparable agencies throughout the country. Their depth of knowledge of the unique needs of Palo Alto and familiarity with the City processes stood out to staff in the evaluation process.

5. **If most of the numbers for the cost estimate is hypothetical, does this mean that theoretically, the contract could cost less/more?**

As stated in the report, the launch cost is set and ongoing cost based on the number of transactions, not theoretical. The proposed rate structure is a more common structure for these types of services today (compared to the flat rate structure) and scalable as program size and permit fees may change in the future.

Item 8: Tree Pruning and Removal Services Contract Extension (Questions provided by Council Member Tanaka)

1. **What were the overall costs of the previous contracts with a different company? Because WCA was only employed in 2016, what was the contract for the arborist before that?**

West Coast Arborists was employed on the previous contract, C13148075, from 2013-2016. The

amount of the three year contract was \$1,159,910 with a budget amendment for an additional \$109,910 in the third year. The increase in cost for the 2016 contract with WCA is discussed in Staff Report #7056.

2. How many trees were removed in the past fiscal year?

214 trees have been removed to date during Fiscal Year 2019, 27 of those by West Coast Arborists.

3. What citizen feedback was there (mentioned in contractor performance)? Was there a survey sent out, or was it received through word of mouth?

While no formal survey has been completed, some citizens who are pleased with the work performed by West Coast Arborists convey their appreciation via email. During an average year, 24 citizens are motivated to express satisfaction in this way.

4. The document says that West Coast Arborists approached the city with the offer of a 5% decrease in rates. Was that applied to the overall cost or certain fees like removal or trees?

The 5% reduction was applied to every fee.

5. Is the contract available online, and if so, where?

The contract is attached to Staff Report #7056. Please note that the amount of the contract was increased from \$3,680,960 to \$4,702,450 by Council to achieve a 7-year pruning cycle, instead of 10 years.

Item 9: Approval of Highway 101 Bike Bridge Design Contract Amendment and Resolution for Freeway Agreement (Questions provided by Council Member Tanaka)

1. How many people will Biggs Cardosa Associates be providing for the third phase of this project?

The Biggs Cardosa Associates (BCA) team consists of structural, civil, geotechnical, electrical, and lighting engineers; bridge and landscape architects; and biologists. We estimate approximately 15-20 people will be working from their team; however, the exact number will vary with construction issues, expertise needed to address issues, and staff availability.

2. Will any city employee be working on the bidding process with Biggs Cardosa Associates, or will Biggs Cardosa Associates be handling the entire bidding process by themselves?

City staff will manage the bidding process including advertisement, conducting a pre-bid conference, responding to non-design related questions, and the formal bid opening and award process through city council approval. BCA will assist the City with bid package preparation, attend the pre-bid conference, and respond to design related questions during bidding.

3. Was there any auditing to assure that Biggs Cardosa Associates was performing adequate work?

Staff has been evaluating BCA's performance for quality, accuracy, and percent work completion. During the engineering and design phase, the BCA team and City staff worked with various City departments, Caltrans, Santa Clara Valley Water District, Google, regulatory agencies, and other public and private stakeholders to resolve multiple rounds of comments and received approval of project design and permits from the stakeholders.

4. Is it still viable to switch the contractor for this project?

The BCA team has been working on the design since May 2016. Because of BCA's performance,

familiarity with, and accountability for the design, staff does not recommend switching the consultant at this stage of the project. Changing consultants at this point would cause a delay to the project, and potentially additional cost associated with a new consultant's learning curve and lack of knowledge of project issues.

Item 10: Approval of Cubberley Community Center Field Synthetic Turf Replacement and Track

(Questions provided by Council Member Tanaka)

1. **How many people will be working on this project?**
Two City staff will manage the prime contractor and their 2 subcontractors. There could be up to 30 individuals working on the site.
2. **Will the bid alternate items be completed as a part of this project?**
All the alternate bid items will be included as part of the project scope. These include: 1) the all-weather rubber track; 2) the asphalt field access driveway; 3) a 20' x30' rubber pad for exercising; and 4) asphalt pads for soccer goal storage.
3. **What is the total area of the location where work will be performed?**
The work will be confined to the fenced area of the existing field, an area of 161,897 square feet or 3.7 acres.

Item 13: Amendment No. 3 for Charleston-Arastradero Corridor Project (Question provided by Council Member DuBois)

1. **Will temporary roadway installations be set up for Phase 3? The Staff report is unclear, it sounds like some changes were already made to the plans, but will the public see temporary installations with a chance to respond before construction?**
Yes, Phase 3 will include temporary roadway installations illustrating the modifications, as was done for Phases 1 and 2 of the project. The temporary roadway installations will be further described when the Phase 3 construction contract is brought to Council for approval.

Item 18: Approval of Contract of \$716,000 with Artist Peter Wegner for Public Safety Building Public Art (Questions provided by Council Member Tanaka)

1. **How many artists were in the pool of contenders?**
As stated in the staff report, 63 artists responded to the open call to artists. Staff pared the list down to 22 potential artists for further consideration. The selection panel of ten key stakeholders and arts professionals selected four finalists for the project. Those artists gave public presentations about their work in January 2018. These interviews were open to the public and offered an opportunity for the community to give input to the selection panel prior to making their decision on the project artist. Based on the presentations and interviews, the panel recommended Peter Wegner as the sole project artist for the PSB to the Public Art Commission.
2. **Have we done a commission like this one before and if so how much were they paid?**
Public Art staff have managed many projects similar to this in accordance with Municipal Code section 2.26.070 Public Art for Municipal Projects. Section 2.26 sets aside funding for public art that cannot be used for other purposes. Budgets for commissions of public art work vary widely and depend on the scale of the construction project. Budgets for these projects are aligned with the projected cost of the CIP. Examples of previous municipal percent for art projects include artworks for Mitchell Park Library and Community Center, Rinconada Library and the Palo Alto Art Center, City Hall Lobby, and the Regional Water Quality Control Plant. Current municipal

percent for art projects include artwork for Fire Station 3, the Highway 101 Bike and Pedestrian Bridge, the Charleston/Arastradero transportation corridor, and the Junior Museum & Zoo. Most of the previous municipal percent for art projects have ranged between \$50,000 and \$240,000. Since the Public Safety Building is the largest CIP project we have undertaken, the art budget is proportionate to the scale of the project.

3. **Is it possible to spend the money on different pieces of art from multiple different artists?**
Yes, the decision to select one artist or multiple artists for a particular project is made at the beginning of the artist selection process and vetted by the Public Art Commission. In the case of the Public Safety Building, the selection panel opted to select one artist to provide the artwork.

Thank you.



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