

## STAFF REPORT

**Date:** Tuesday, June 28, 2016

**To:** Bryan H. Montgomery, City Manager

**From:** Kevin Rohani, P.E. Public Works Director/ City Engineer

**Subject:** Authorize the City Manager to execute an agreement for Professional Services with F. J. Kennedy & Associates, Inc. for "On-Call" City Surveyor, Cleanwater Program Assistance and Stormwater improvement Planchecking Assistance

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

### Introduction

F. J. Kennedy & Associates, Inc. (Kennedy & Associates) has been providing On-Call services to the City since June 2014 as the contract City Surveyor as well as providing assistance with Cleanwater Program items and Stormwater Improvement Planchecking. The services Kennedy & Associates has provided have been invaluable and have enabled staff to manage a very heavy workload.

### Background and Analysis

As the City continues to grow with the construction of private development projects, Kennedy & Associates has continued to assist City staff submit timely annual reports to the State Waterboards and to complete other tasks as required under the NPDES permit. Kennedy & Associates has also been providing Stormwater improvement plan checking services to assist staff in meeting turnaround time requirements and continues to provide City Surveyor services.

### Fiscal Impact

Approval of the resolution will authorize the City Manager to execute a professional services agreement with F. J. Kennedy & Associates, Inc. for a not-to-exceed amount of \$50,000 per fiscal year, beginning July 1, 2016 through June 30, 2018 with an option to extend the agreement at the City Manager's discretion. Private development projects and the City's Cleanwater Program will fund the services on an as needed basis. There will not be any City General Funds used in this contract.

### Conclusion

Staff recommends that the City Council adopt the resolution approving the Professional Services Agreement with F. J. Kennedy & Associates, Inc. for "On-Call" City Surveyor, Cleanwater Program and Stormwater Improvement Planchecking services and authorizing the City Manager to execute the agreement.

**Attachments**

- 1) Resolution
- 2) Proposal and Rate Schedule

RESOLUTION NO. - 16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH F. J. KENNEDY & ASSOCIATES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR ON-CALL CITY SURVEYOR, CLEANWATER AND STORMWATER IMPROVEMENT PLANCHECKING SERVICES**

**WHEREAS**, F. J. Kennedy & Associates, Inc. has been under contract with the City of Oakley since June 2014 to provide On-Call City Surveyor and Cleanwater services; and

**WHEREAS**, F. J. Kennedy & Associates, Inc. has provided excellent service to the City during this period; and

**WHEREAS**, the need for this type of service as well as improvement planchecking services has greatly increased over the past several years primarily due to the large number of subdivision developments being approved and designed; and

**WHEREAS**, the costs associated with the agreement will be funded by private development projects and the City's Cleanwater Program.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that the Professional Services Agreement with F. J. Kennedy & Associates, Inc. is approved and the City Manager is authorized to execute the agreement beginning on July 1, 2016 and running through June 30, 2018 with an option to extend the agreement at the discretion of the City Manager.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on this 28<sup>nd</sup> day of June, 2016 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTENTIONS:

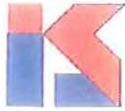
APPROVED:

ATTEST:

\_\_\_\_\_  
Kevin Romick, Mayor

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date



Kennedy and Associates

*Project Management  
Construction Management  
Program Management  
Engineering Services*

May 31, 2016

City of Oakley  
3231 Main Street  
Oakley, CA 94561

Attention: Keith Coggins, Sr. Engineer

Subject: Proposal for On-Call Consultant Services for Civil Design for the Stormwater Program, City Surveyor and Current Development Engineering

Dear Mr. Coggins:

Thank you for the opportunity to present this proposal for On-Call Consultant Services for Civil Design for the Stormwater Program, City Surveyor, and Current Development Engineering. As we enter into our 14<sup>th</sup> year of business, FJ Kennedy and Associates, Inc (Kennedy and Associates) primary focus is support to public agencies. We have provided this support through staff augmentation in Stormwater permit compliance, Capital Improvement Projects, Project and Construction Management, and Development Plan review. We have served as municipal management staff, City Surveyor, and City Engineer. Currently, 100% of our work is for public agencies.

The specialty of Kennedy and Associates centers on Current Development Engineering with a focus on Stormwater Program Support. We have provided this service to the majority of our clients. We support both Phase I and Phase II agencies. We currently represent our clients on the Contra Costa Clean Water Program (CCCWP) Management Committee as the alternate representative for the City of Concord, City of Pleasant Hill, City of Pinole and Town of Moraga. We represent the City of Pleasant Hill on the CCCWP Development Committee. We are also certified as QSDs and QSPs and have assisted clients with compliance with the Construction General Permit.

**FIRM DESCRIPTION AND EXPERIENCE**

**Year Firm Established:** 2002

**Primary Contact within the Company:**

Our Principal for this proposal is Frank Kennedy, President of the firm.

Frank Kennedy, P.E.

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Proposal for Civil Design & Surveying  
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Principal  
925-451-4294  
[fjk@fjkennedy.com](mailto:fjk@fjkennedy.com)

**Number of Employees in Firm.** Kennedy & Associates currently has five employees. Kennedy and Associates has a staff of three licensed engineers, an engineering technician and a construction inspector.

**Consultant Specialties.** The types of work the firm specializes in are as follows:

City Surveyor services  
Current Development Review  
Stormwater Program Management  
Project Management  
Project Engineering  
SWPPP development, review and implementation

**Current/Prior Experience with Municipal Projects:**

**City of Oakland - Oakland Army Base Redevelopment.**

Since 2009, Kennedy & Associates has served as the Project Engineer for the Oakland Army Base Redevelopment project located at the base of the Bay Bridge abutting the Port of Oakland. In 2013, Kennedy & Associates role was changed to serving as the City of Oakland City Engineer reviewing and approving all plans for horizontal infrastructure. We also approve all storm water control plans for this multi-phased project as well as the SWPPP. As the project proceeded in the horizontal phase construction in October 2013, we began providing construction inspection services for the infrastructure and the stormwater treatment devices. We will also be ensuring that the necessary O&M agreements and plans are in place for implementation by the Watershed Management Division of the Public Works Agency. We are also ensuring that the multitude of mitigation measures and conditions of approval for the project are met and implemented to regulatory agency satisfaction.

In addition to the services provided to the City of Oakland for the Oakland Army Base Redevelopment, Kennedy & Associates has also served as the City of Oakland's Major Project Review Engineer from 2005 to 2013. Other Oakland projects in the last five years include Oak Knoll Communities. Added references for Oak Knoll can be provided if desired.

The contact information for this work is:

Douglas H. Cole

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Project Manager III, Oakland Army Base  
City of Oakland  
250 Frank H. Ogawa Plaza, Suite 5313  
Phone: (510) 238-7661  
dcole@oaklandnet.com

### **City of Vallejo - Stormwater Program Support**

We are providing staff support to the City of Vallejo in the mobilization of a fully compliant and functioning storm water program. Prior to the MRP being issued in 2009, the City of Vallejo was subject to an NPDES permit issued in 1999 and thus had a sharp increase in the both the number and range of stormwater requirements to implement. We have assisted the City in responding to a Notice of Violation letter and continue to create the necessary tools and programs including a municipal ordinance to enable enforcement of the MRP. We have provided training to Engineering, Planning, Building and Maintenance staff in the compliance aspects of the MRP including plan check, SWCP and O&M plan check, construction site controls inspection and tracking, O&M inspection of installed C.3 facilities, corporation yard inspection, municipal maintenance practices, and Integrated Pest Management. We are also providing support for the land development review, including interactive C.3 plan check services as a training tool for City staff.

### **City of Concord – Stormwater Program Manager and Current Development Manager**

For the City of Concord, we served as the Current Development Engineering Manager from 2009 until 2012. We also filled the role of Stormwater Program Manager. We continue to provide Stormwater Program Support by conducting project plan review, Stormwater Control Plan (SWCP) and O&M plan review and approval, preparation of the Annual Report, and most recently assistance with meeting trash reduction provision requirements.

For inclusion in the annual report and in support of the Long Term Trash Reduction Plan, staff ground truthed the trash generation maps in July and August 2013 with extensive time being spent with staff at EOA working to prepare an accurate and effective map for Concord based on a multitude of factors encountered during this process. Kennedy and Associates prepared two draft map submittals and completed the Tracking Sheets (Confirmation of Trash Generation Rate Categories and Trash Sources, and Identification of Primary and Secondary Trash Management Areas).

Other services provided to the City of Concord include construction and annual O&M inspections of C.3 devices, QSP services for capital work, and serving as City Surveyor.

The contact information for this work is:

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Kevin Marstall  
Senior Engineer  
City of Concord  
1950 Parkside Drive  
Concord, CA94519  
Phone: (925) 671-3031  
Email: [kevin.marstall@cityofconcord.org](mailto:kevin.marstall@cityofconcord.org)

### **Town of Moraga – Land Development Engineering Review and Stormwater Program Services**

Kennedy & Associates currently provides staff support to the Town of Moraga on an on-call basis for stormwater program services and land development engineering review. From 2002 until 2009 we served as the Town of Moraga's Stormwater Program Manager. We prepared the Town's commercial/industrial inspection program and currently assist staff in the compliance aspect of the MRP including corporation yard inspection, site inspection, and O&M inspection. We annually assist the Town in the preparation of the annual report, and for the most recent report, provided guidance to Town staff for ground-truthing of the trash generation map and completion of the tracking sheets. In addition, we continue to provide guidance to the Town for preparation of its Long-Term Trash Management Plan and meeting reduction goals.

For land development engineering review, we provide plan check services with special emphasis on review of Stormwater Control Plans and Operation & Maintenance Plans and Agreements. Recent plan reviews performed for the Town include the new recreation center and north parking lot expansion at St. Mary's College. Staff also completed development engineering review for the Palos Colorado Development. Frank Kennedy has assisted the Town with review and approval of the Vesting Tentative Map in 2008 and completed the Final Map approval in 2016.

The contact information for this work is:

Edric Kwan, P.E.  
Public Works Director/Town Engineer  
Town of Moraga  
329 Rheem Boulevard  
Moraga, CA 94556  
Phone: (925) 888-7025  
Email: [ekwan@moraga.ca.us](mailto:ekwan@moraga.ca.us)

**City of Oakley – Land Development Review, City Surveyor and Stormwater Program Support**

In addition to serving as the City Surveyor, we provide staff support to the City of Oakley on an on-call basis for stormwater compliance. From 2002 until 2009, we served as the City of Oakley's Stormwater Program Manager and now perform program support on an On-Call basis. We have performed Oakley's commercial/industrial inspections and currently assist staff in the compliance aspect of the MRP including plan check, SWCP and O&M plan check, corporation yard inspection, site inspection, and O&M inspection. We are currently assisting Oakley with stormwater control plan review, map review, and development plan check.

The contact information for this work is:

Keith Coggins, P.E.  
Senior Engineer  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7155  
Email: [coggins@ci.oakley.ca.us](mailto:coggins@ci.oakley.ca.us)

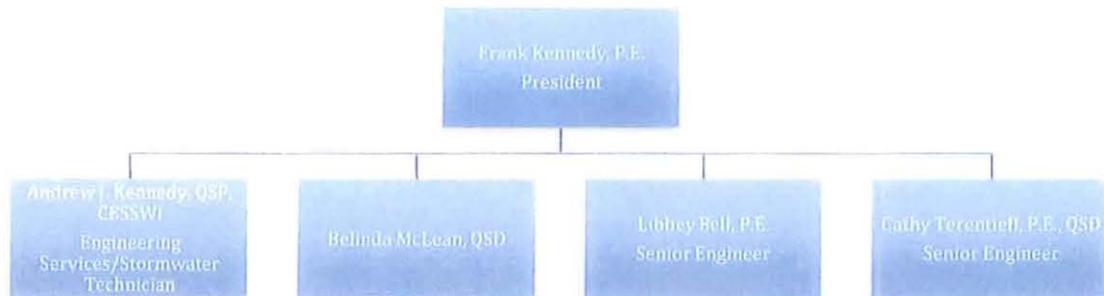
**CUSTOMER SERVICE**

Kennedy and Associates works as a team. Team members have wide authority to act independently, but always consult and collaborate on work products presentation and deliverables to ensure that what was requested and required is what is delivered. We do this through sharing ideas and approaches to problems, critiquing each other's work, and sharing in the responsibility of proofing and editing work product.

**APPROACH TO COMPLETING SCOPE OF SERVICES**

The greatest asset Kennedy and Associates in approach to the services we provide is the focused experience. We undertake tasks that we know how to do and have a long and strong resume in performing. We work within and focus our area of expertise

Based on the scope of services required by a project, Kennedy & Associates will assign the appropriate staff to best meet the project needs. A listing of the lead professional personnel at Kennedy & Associates is provided in the organization chart. Resumes can be provided on request



**Figure 1. Kennedy & Associates Organization Chart**

Kennedy & Associates is independent, properly licensed to practice in California, and has no conflict of interest with regard to any other work performed by the firm for the City of Oakley.

Our current rate sheet is attached. We thank you for this opportunity to submit a statement of our qualifications.

Very truly yours,

F.J. Kennedy, P.E., PWLF  
President

**F. J. Kennedy and Associates, Inc.**  
Consulting Civil Engineers

*Project Management  
Construction Management  
Program Management  
Engineering Services*

## **Billing Rates**

Effective November 1, 2015

Principle Engineer	Design and Consulting Services	\$181.50/hr
Sr Engineer	Design and Consulting Services	\$159.50/hr
Engineering Technician	Design and Consulting Services	\$ 93.50/hr
Administration	Office Support	\$71.50/hr
Reproduction other than incidental prints or electronic media copies		Actual Cost
Travel Expenses – Local (Greater Bay Area/Driving Distance) – Included in Billing Rate		
Dedicated project vehicle		\$865.00/month
Travel Expenses – Commercial Carriers		Actual Cost

Rates are subject to annual review.