

**Request for Proposal:
Funding from
Measure DD Bond**

**Measure DD Community Coalition
July 2017**

This document is a request for information to help inform Measure DD Community Coalition recommendations about use of Measure DD bond proceeds.

Introduction

1. About the Coalition. The Measure DD Community Coalition is a community advisory group formally recognized by the City Council in June of 2003. Its purposes are described in its [Statement of Purpose](#).
2. Why we are requesting this proposal. The Measure DD Program Manager has orally requested input from the Coalition regarding a request to provide additional funding for the proposed Lake Merritt to Bay Trail (LM2BT) project. Discussion at two Coalition meetings revealed that the Coalition needs additional information before it can offer such input.
3. Coalition interest. The Coalition is supportive of the purposes of the LM2BT project, as evidenced by its [May 2014 letter of support for the City's CTC grant proposal application](#) for the project.
4. Effort. The Coalition recognizes that preparation of the requested proposal will require time and resources, and this investment of effort is appreciated. Similarly, we expect to expend effort in the proposal review.

Note:

This request for information was submitted by the Coalition in July, 2017.

Responses by Diane Tannenwald, Project Manager, were submitted 8-29-2017 and are presented in outlined text boxes.

Responses by Lesley Estes, Measure DD Program Manager, were submitted 1-12-2018 and are presented in blue highlighted outlined text boxes.

Specifications for Requested Proposal

Please provide a brief narrative for each of the sections below:

1. Evidence of project feasibility:

- a. Describe status of right of way acquisitions, land acquisitions, permits, agreements, etc.

Permits – The initial outreach, as part of the feasibility study, is complete as is CEQA. Permit applications to be submitted as plans are more fully developed. Discussions with regulatory agencies have been ongoing.

Right of Way - Discussions underway with those listed below (permanent easement). Preliminary maps for legal descriptions in development by the consultant. Legal descriptions to be completed on final agreement with owners.

- i. Peralta Colleges (East parcel)
- ii. Caltrans
- iii. Laney College (West parcel)
- iv. Fire Training Center (City of Oakland)
- v. EBMUD (Port of Oakland)
- vi. Union Pacific Railroad
- vii. Brooklyn Basin (Port of Oakland)

- b. Provide a project cost estimate, including:

- i. Design, engineering
- ii. Environmental planning (CEQA, NEPA)
- iii. Negotiations, agreements, and permits
- iv. Land and right of way acquisitions
- v. Construction
- vi. City project management and other staff costs
- vii. Inspection and testing
- viii. Escalation factor for inflation

Cost Estimate – Please note that this estimate is a rough guess from in house information. The consultant will provide a more realistic cost estimate as the geometrics, materials and details are defined.

Feasibility, Public Outreach and CEQA	810,299.00
Design, Engineering, Specifications and NEPA	2,046,954.00
Right of Way, Negotiations and Acquisitions	325,000.00
Construction	18,000,000.00
Project and Construction Mgmt.	1,800,000.00
Escalation (2017=1.038, 2018=1.035, etc..)	

- c. Briefly describe the overall funding plan for the complete project and explain how this plan is feasible.

Funding plan for construction will begin Winter 2017. Construction will be grant funded except for required match funding. \$2M estimated in Measure DD funds needed for match.

2. Progress. Describe major project accomplishments to date.

Progress

- a. Project specific website established
- b. Grants applied for and awarded (5 sources totalling ~\$4M)
- c. Public outreach, database and management ongoing
- d. Feasibility Analysis complete
- e. Easement constraints Analysis complete
- f. Public Record property owner data deliberated/revised
- g. 3D Site Modeling ongoing
- h. CEQA complete
- i. California Transportation Commission Approval received
- j. Develop Preferred Alternative
- k. Design Guidelines complete
- l. Design Development started
- m. Additional Access Alternatives study started
- n. Right-of-Way Negotiations started
- o. Utility Coordination started
- p. Coordination with developers ongoing
- q. Regulatory and permitting processes started (14 agencies)

3. Funding. In this section, we are seeking to understand the current request from Measure DD in the context of past funding from Measure DD and other sources:
- a. Specify the dollar amount of DD bond proceeds requested.

Proceeds requested include staff time for the Project Manager, Diane Tannenwald, and matching funds for construction in the amount of \$2M.

- b. Identify the section of the bond (e.g. Exhibit A, Section III) from which the allocation is proposed to be made.

The two potential categories in Measure DD that may be used for the proposed allocation are highlighted below:

A. Estuary Waterfront Access, Parks and Cleanup (Waterfront Access) –

Total original allocation is \$53,000,000:

- \$9,500,000 for water quality improvements and hazardous material remediation
- \$43,500,000 for “trails and parks” (\$30,000 unspent)

B. Lake Merritt to Estuary Connection (Lake Merritt Channel) –

Total Original Allocation is \$27,000,000:

- \$25,000,000 for “water quality improvements”
- \$2,000,000 for “pedestrian access, wetlands restoration and other shoreline Improvements” (\$1,995,000 unspent)

- c. Provide an explanation of why this section is appropriate for funding the bridge project.

A. The Waterfront Access sub-category for "trails and parks," with a total original allocation of \$43,500,000 has a remaining \$30,000,000.

Status - This category had originally included Union Point Park, which spent only \$4 million out of the total costs of \$9 million due to grants, and two other proposed parks, that are now being built by the developer at Brooklyn Basin at no cost to DD leaving only one remaining park on the original list to use DD funds – Estuary Park.

Future Expenditures – \$16,000,000 - \$30,000,000

- Estuary Park – estimated about \$9 million
- Miller Milling to Cemex waterfront trail – up to \$3 million
- Port trails – between \$600,000 to \$1,000,00 (depends on Harbor Master)
- Trails around the Bridges – It is estimated that Fruitvale crossing may be in the neighborhood of \$1 to \$2 million. Costs for the other two bridges are unknown, but are expected to exceed any remaining funds.

Rationale: The removal of the Brooklyn Basin parks from DD expenditures has resulted in unexpected savings that could be used for LM2BT connection to the Bay trail at the two Estuary Parks. (Estuary Park and Channel Park). At the same time there are remaining unknown expenses for the trails around High Street bridge and Park Street Bridge. These are anticipated to be very expensive projects. More information on the costs of High Street bridge will be available in the next few months.

B. The Lake Merritt Channel sub-category for "pedestrian access, wetlands restoration and other shoreline Improvements" with a total original allocation of \$2,000,000 has a remaining \$1,995,000.

Status - The majority of the original \$2 million in the original category is still available for pedestrian access, wetlands restoration and other shoreline Improvements.

Future Expenditures – undetermined

Rationale: This category seems to be an appropriate category language wise, but is very limited in amount available. If the entire amount of \$2 million is dedicated to LM2BT than no funds are available for the other items (wetlands restoration and other shoreline improvements).

- d. Describe the impact of the proposed allocation on the funding of all other projects in that bond section that have not been completed.

See above.

- e. Provide a detailed history of past expenditures for the bridge or related projects charged to the Measure DD bond (2002 – present). We understand these expenditures to have totaled between \$800K and \$900K:
- i. Show itemized and total costs 2002 – present.
 - ii. For each line item, the date or date range, amount, bond section charged, expenditure type (e.g. capital, services, personnel, benefits, supplies, etc.), and description of the item. If the charge is for City

staff time or benefits, the description should include the City Class Title for the position (not the person's name). If the charge is for services, the vendor should be included. Show subtotals for each expenditure type and a grand total.

iii. If desired, append a spreadsheet with the expenditure history

2002-2011 Measure DD Bond Manager, Joel Peter, worked with Engineering to do a preliminary feasibility analysis and would have this information. Lesley Estes, the current Measure DD Bond Manager, may be able to help you obtain this information.

2012-Present Project Manager, Diane Tannenwald, has charged on average ~\$100K/year for staff time to manage the project and apply for grants to leverage the Measure DD funds.

f. Funding from other sources:

i. Other funding obtained – The Coalition's understanding is that the following funding has been obtained. Please provide revisions and additions to bring the information current, and add date of award for each:

- 1) \$100K - ABAG Bay Trail Project
- 2) \$3.2M – Alameda County Transportation Commission Grant
- 3) \$800K - \$900K - Measure DD Bond
- 4) \$100K – East Bay Regional Parks

Funding Obtained:

- a. \$100K – ABAG SF Bay Trail 2014 – Feasibility Study and CEQA – Completed
\$100K awarded and expended
- b. \$100K – EBRPD 2013 – Feasibility Study and CEQA – Completed
\$100K awarded and expended
- c. \$200K – Measure B 2012 – Feasibility Study and CEQA – **Completed**
\$200K awarded and expended
- d. \$1.0M – Measure DD 2012 – Feasibility Study and CEQA – Completed
\$1.53M appropriated of which **\$1.0M expended**
- e. \$3.21M – ATP Cycle I 2014 – Design and Right of Way – In process
- f. \$600K – Measure DD 2017 – Design and Right of Way – In process
\$2.36M appropriated

ii. Other funding requests that have been made – Please describe sources, types, dates, & amounts requested from each.

Future Funding – There are no outstanding grant requests at this time. Construction Funding Sources Plan TBD Winter 2017

iii. Breakdown of costs charged and proposed to be charged to each outside source.

See 3.f.i. above for costs charged and proposed to be charged.

4. Expenditure plan for requested funds:

- a. Describe the overall expenditure plan for the requested DD funds.
What would the funds be used for?

Expenditure of current Measure DD funds are allocated for staff time to support the ATP grant during Design Development, Right of Way acquisition and the solicitation of construction grants. Remaining funds in excess will go to bid/award and the construction phase. The \$2M requested will be the required local match for the construction grants.

- b. Describe the planned timetable for expenditures against the requested allocation. When would they be expended?

Final design is expected at the end of 2019 with bid/award and construction to follow. All funds to be expended by construction completion.

- c. Would any City staff be paid with the requested DD funds? If so, for each, describe FTE, staff class title, and date ranges over which payment would be made.

Measure DD Funds will support Project Management staff funds during the design, bid/award and construction phases including, but not limited to, Capital Improvement Project Coordinator and Project Manager II. Project funds needed through construction closeout.

- d. If the proposal were approved, what constraints would be imposed on use of the allocated funds?

Funds are dedicated for specific tasks.

- e. The Coalition's understanding is that the request is for "seed funding" to "prime the pump". Is this understanding correct, and if so, what does it mean? Would the allocated funds be set aside in a dedicated account for future grant matching? If yes, would LM2BT management agree to return those set-aside funds to Measure DD management for other bond projects in the event that bridge construction does not commence by January 1, 2021?

"Seed funding" or as we would call them "matching funds" will be required for outside granting agencies. Measure DD has been used for the City's match requirement numerous times in the past. In addition, as has been past practice, funds would be returned to Measure DD should there be extra local match funds.

5. Coalition questions:. At its meetings on May 15, 2017 and July 17, 2017, the Coalition discussed the request to allocate additional DD funding to the proposed LM2BT bridge. Coalition participants asked many questions, some of which are not reflected in the proposal specifications above. It may be useful for your proposal to address them:

- a. What would be the consequence to the bridge project if the Coalition waited 6-12 months before addressing this request?

Construction match funds will be required in 2018 when grants are applied for

- b. What is the status of project design? Is it complete and paid for?

35% Design complete and paid for. New design drawings to be posted on LM2BT.com at the end of September 2017.

- c. Have you requested seed funds for the bridge from the Bicycle and Pedestrian Improvements section of Measure KK's \$350M Streets and Roads Projects component?

Measure KK has strict criteria and an established project list, but all possibilities will be explored.

- d. The Coalition has a "wish list" of mostly small projects that were not specified in the bond that we understand will be considered for priority and funding if and when it becomes clear that funds remain to address them. Why should this project "jump the line" to be considered now, ahead of the rest of the wish list?

The physical goal of this project is to connect two major trails, the Lake Merritt Trails and the Oakland Waterfront Bay Trail which are currently bifurcated by the Freeway, Major Utilities, the railroad and Caltrans Freeway. Whereas there are current "connections", 5th Ave, Broadway, etc. most people find these routes unpleasant at best and are therefore underutilized except by autos.

Additionally this project strives to entice people of all ages, abilities and socio-economic status with a rare opportunity to hang out over the water, witness the captivating water views, in hopes of encouraging more people to experience, preserve and support quality improvements along our waterfront.