



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Planning and Development Services

Meeting Date: February 10, 2025

Report #:2409-3487

TITLE

Approval of Professional Services Contract Number C25189597 with Rutherford & Chekene in an Amount Not to Exceed \$207,812 for Development of a Seismic Hazard Identification and Mitigation Program for a Period of Three Years. CEQA Status: Exempt under CEQA Guidelines 15262.

RECOMMENDATION

Staff recommends that Council approve and authorize the City Manager or designee to execute Contract No. C25189597 (Attachment A), with Rutherford & Chekene, to update and advance the Seismic Hazards Identification and Mitigation Program for a term of three years and a total amount not-to-exceed \$207,812, including \$188,920 for basic services and \$18,892 for additional services.

BACKGROUND

The City's efforts to mitigate seismic risks in vulnerable buildings date back to the 1986 adoption of the Seismic Hazards Identification Program, codified in Chapter 16.42 of the Palo Alto Municipal Code.¹ This ordinance required mandatory evaluations and encouraged voluntary retrofits, successfully addressing unreinforced masonry structures. However, advancements in seismic science and lessons from recent seismic events in California highlight the need for more comprehensive measures.

In April 2017, a comprehensive Seismic Risk Assessment Study by Rutherford & Chekene identified five additional vulnerable building types and estimated potential seismic losses if no action were to be taken. Recommendations included mandatory retrofits for certain building categories, incentives for property owners, and updates to disclosure measures. These findings laid the groundwork for future policy enhancements.

¹ Palo Alto Municipal Code, Chapter 16.42: https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-74168

In October 2017, the City Council directed staff to refine the seismic inventory, assess community impacts, and explore program options, disclosures, and incentives.² This marked an important step toward expanding the seismic retrofit program, with a focus on addressing soft-story wood-frame buildings, tilt-up construction, and other high-risk structures. The project was later deprioritized to advance other work including the City’s pandemic response.

In August 2023 the Policy & Services Committee received a status update and reviewed initial policy considerations from the 2016 Seismic Risk Assessment Study by Rutherford & Chekene report.³ Concepts included consideration of mandatory seismic evaluations for an expanded list of vulnerable building types, alignment with modern best practices, and lessons learned from other jurisdictions. The risk assessment reflected years of study, community engagement, and policy refinement that reflected the City’s interest in reducing seismic risks and improving the safety and resilience of Palo Alto’s built environment. The Committee expressed support for the recommendations and was in alignment with staff’s proposed next steps as outlined by staff. The subject contract has not been reviewed by the Policy & Services Committee but reflects its prior discussion and is being presented to the City Council for action.

ANALYSIS

In May 2024, staff advanced work toward seeking proposals from qualified firms to provide services to customize a seismic hazard identification and risk mitigation program for seismically vulnerable buildings. A request for proposals (RFP) for the project was posted on OpenGov, the City’s eProcurement platform, and 3,119 vendors were notified. The solicitation period was posted for 58 days and two proposals were received. The solicitation closed on June 27, 2024.

Table 1: Summary of Request for Proposal	
Proposal Description	RFP 189597 Seismic Hazard Identification & Risk Mitigation Program
Proposed Length of Project	Three Years
Number of Vendors Notified	3,119
Number of Proposal Packages Downloaded	37
Total Days to Respond to Proposal	58
Pre-Proposal Meeting	N/A
Pre-Proposal Meeting Date	N/A
Number of Proposals Received	2
Proposal Price Range	\$332,000 - \$379,470
Public Link to Solicitation	https://procurement.opengov.com/portal/palo-alto-ca/projects/94858/document

² City Council, October 16, 2017; Agenda Item #12, SR #8207, <https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2017/id-8207-seismic.pdf>

³ Policy & Services Committee, August 8, 2023; Agenda Item #2, <https://cityofpaloalto.primegov.com/Portal/viewer?id=2677&type=0>

The proposals were evaluated and determined to be responsive to the criteria identified in the RFP. Rutherford & Chekene was selected because of the quality and effectiveness of their services, the experience of their field staff, prior record of performance with the City, and their ability to provide future services.

The proposed contract, totaling \$207,812 including optional additional services of \$18,892, reflects the scope of services necessary to advance the City's seismic hazard identification and mitigation efforts. Funding in the amount of \$216,000 has been reappropriated from prior City Council funding allocated in the FY 2024 budget.

The proposed work builds upon the findings of the 2016 Seismic Risk Assessment Study by refining and updating the inventory of potentially vulnerable buildings. While the previous study provided a broad assessment of at-risk structures, this phase will focus on validating and expanding that data to ensure accuracy in identifying buildings that may require retrofitting. Rutherford & Chekene will also develop a seismic hazard identification and mitigation ordinance, transitioning from risk assessment to regulatory action. This ordinance will outline potential retrofit requirements and establish a structured framework for improving seismic resilience.

In addition to technical analysis, this phase will include an in-depth evaluation of retrofit techniques, financing options, and tenant displacement policies to determine which measures should be mandatory versus voluntary. This ensures that policy recommendations balance public safety with economic feasibility for property owners. Community stakeholders, including building owners, tenants, and industry professionals, will be engaged throughout the process to refine and tailor policy recommendations to Palo Alto's specific needs. This collaborative approach supports a final ordinance that is practical and effective in enhancing the city's seismic preparedness.

While the Planning and Development Services Department has expertise in managing seismic-related projects, the complexity of this effort—particularly in technical policy development, stakeholder engagement, and detailed engineering analysis—requires specialized expertise that exceeds current in-house capacity. This approach allows City staff to focus on leveraging strengths in project management and community engagement while gaining access to advanced technical analysis through the consultant.

Rutherford & Chekene will work closely with City staff to integrate local knowledge into the project. Regular check-ins and coordination meetings will ensure that the consultant remains informed of Palo Alto's unique needs and conditions. This collaboration will be documented through updates provided to the City Council.

City staff will support the project by conducting preliminary data collection, coordinating stakeholder engagement, and managing community outreach, allowing the consultant to focus on technical and policy aspects of the program. Finally, Rutherford & Chekene will implement

program management tools and establish a long-term framework for seismic hazard mitigation that ensures long-term effectiveness.

To clarify the deliverables, the work produced by Rutherford & Chekene will include an updated inventory of vulnerable buildings, a draft seismic hazard identification and mitigation ordinance, and an analysis of retrofit techniques, financing options, and tenant displacement policies. These deliverables will provide the foundation for staff recommendations to the Council, guiding decisions on mandatory versus voluntary retrofit measures and policy implementation strategies.

Staff will critically evaluate these deliverables to ensure they align with Council priorities, community needs, and feasibility considerations. If discrepancies arise or further refinements are needed, staff will collaborate with the consultant and key stakeholders to adjust recommendations before presenting them to the Council for consideration.

These efforts serve to mitigate seismic risks in vulnerable buildings by reducing seismic risks for both the short- and long-term. By proactively addressing building vulnerabilities and refining policies around retrofitting, tenant displacement, and financial feasibility, the City will enhance public safety, protect property, and ensure that any necessary retrofitting is conducted in a financially viable and equitable manner. This project will enhance protections against seismic events while establishing a structured and sustainable approach to long-term resilience.

FISCAL/RESOURCE IMPACT

Funding of \$216,000 has been reappropriated from prior City Council funding in the Fiscal Year 2024 budget. Staff will monitor expenditures closely and will report any significant changes to the budget as part of the quarterly budget review process.

STAKEHOLDER ENGAGEMENT

Professional planners and managers in the Planning and Development Services Department participated in the development of this recommendation. Previous discussions and recommendations from the Policy & Services Committee informed this process. The project will actively involve diverse community stakeholders through advisory group meetings, public presentations, and stakeholder workshops. Specific efforts will focus on engaging property owners of vulnerable building types, tenants impacted by potential retrofits, and local experts in seismic resilience. Feedback from these groups will be considered in policy recommendations.

ENVIRONMENTAL REVIEW

Approval of this contract is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15262, because it authorizes only a feasibility or planning study for possible future actions that have not yet been approved or adopted.

ATTACHMENTS

Attachment A: Contract No. C25189597 with Rutherford & Chekene

APPROVED BY:

Jonathan Lait, Planning and Development Services Director