



DATE: December 8, 2020

CATEGORY: Consent

DEPT.: Public Works

TITLE: **East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48 – Amend Professional Services Agreement**

RECOMMENDATION

Authorize the City Manager to amend the professional services agreement with BKF Engineers for the East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48, to add an additional amount of \$105,000, for a total agreement amount of \$664,000.

BACKGROUND

East Whisman Area Transit-Oriented Development (TOD) Improvements, Project 16-48, was developed to provide pedestrian, bicycle, and other complete street elements to improve pedestrian and bicycle access to light rail and throughout the area. Phase I consists of median, pedestrian, and bicycle improvements along Middlefield Road and is complete. Phase II provides for pedestrian and bicycle improvements on Ellis Street between Fairchild Drive and Manila Drive. The scope of work includes sidewalk widening, storm drainage, striping, pavement markings (including green bike lanes), lighting, and traffic signal modifications.

A professional services agreement was executed on June 15, 2016 for \$517,000 with BKF Engineers (BKF) to design both phases. The original agreement expired before the work was complete, and the agreement was reexecuted on April 8, 2019 for \$204,812.44 (remaining balance from the previous agreement) to complete the work.

On May 7, 2019, the City Council authorized the City Manager to amend the reexecuted agreement with BKF to add an additional \$42,000 for design to add pavement rehabilitation to the project, for a total agreement amount of \$246,812.44. On [September 8, 2020](#), the City Council authorized a second amendment to the BKF agreement to add \$105,000 for design services related to expanding the scope of the project by extending the multi-use pathway to connect Manila Drive to Ellis Street. Design of the second phase of the project is approximately 65 percent complete.

ANALYSIS

In the September 8, 2020 recommendation, staff inadvertently left out of the full agreement amount, including the expended amount in the expired agreement. The purpose of the current recommendation is for the City Council to reauthorize funding of the \$105,000 amendment, acknowledging the total compensation to provide an abundance of clarity. If the recommended action is approved, the total contract amount will be:

Reexecuted Agreement	\$204,812.44
Amendment No. 1	42,000.00
September 8, 2020 (and current proposed) Amendment	<u>105,000.00</u>
Reexecuted Agreement Subtotal	\$351,812.44
Previous Agreement Expended Amount	<u>\$312,187.56</u>
Total Amount Agreements Authorized	<u>\$664,000.00</u>

FISCAL IMPACT

East Whisman Area TOD Improvements, Project 16-48, is funded with \$3 million from the Transit-Oriented Development Fund.

The project has sufficient funding for the recommended design services amendment to add \$105,000, of which \$90,000 will be provided by Google LLC as approved by the City Council on September 8, 2020. With the amendment, the agreements with BKF will have a not-to-exceed amount of \$664,000.

ALTERNATIVES

1. Do not increase appropriation to the project or authorize the agreement with BKF.
2. Provide other direction.

PUBLIC NOTICING – Agenda posting.

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Approved by:

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