



# COUNCIL REPORT

**DATE:** April 23, 2024

**CATEGORY:** Consent

**DEPT.:** Public Works

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

## **RECOMMENDATION**

Authorize the City Manager or designee to amend the professional services agreement with BKF Engineers, a California Corporation (Entity No .3696846), for East Whisman Area Transit Oriented Development Improvements (Phase II: Ellis Street Improvements), Project 16-48, to add \$98,000 for a not-to-exceed amount of \$762,000.

## **BACKGROUND**

East Whisman Area Transit Oriented Development Improvements, Project 16-48 (EWTOD Project), provides pedestrian, bicycle, and other complete street improvements along East Middlefield Road and Ellis Street. The EWTOD Project is divided into two phases: Phase I included bicycle improvements on Middlefield Road between Whisman Road and Bernardo Avenue and is complete; Phase II will provide pedestrian and bicycle improvements on Ellis Street between Fairchild Drive and Manila Avenue and improves access to the Valley Transportation Authority (VTA) Bayshore/NASA Light Rail Transit (LRT) Station on Manila Avenue. The Phase II project is currently in design.

On [June 7, 2016](#), Council authorized the City Manager to execute a professional services agreement with BKF Engineers (BKF) to complete both phases in a not-to-exceed amount of \$517,000. On April 8, 2019, the City reexecuted the original agreement, which had expired, to complete the remaining Phase II work. On [May 7, 2019](#), Council approved a contract amendment to include pavement rehabilitation and additional coordination with the California Department of Transportation (Caltrans) for \$42,000, for a total BKF project design amount of \$559,000.

The Phase II scope included (see Figure 1):

- Sidewalk widening to 10' along the westside of Ellis Street from Fairchild Drive to the U.S. 101 northbound on-ramp;
- A new retaining wall underneath U.S. 101;

- New Class II/III bike lane/route;
- Curb and gutter repair;
- Traffic signal modifications;
- Ellis Street pavement rehabilitation, between Fairchild Drive and the south end of the U.S. 101 northbound on-/off-ramps, and new striping and pavement markings; and
- Coordination with Caltrans as the project crosses a Caltrans facility (U.S. 101), requiring a Caltrans permit.

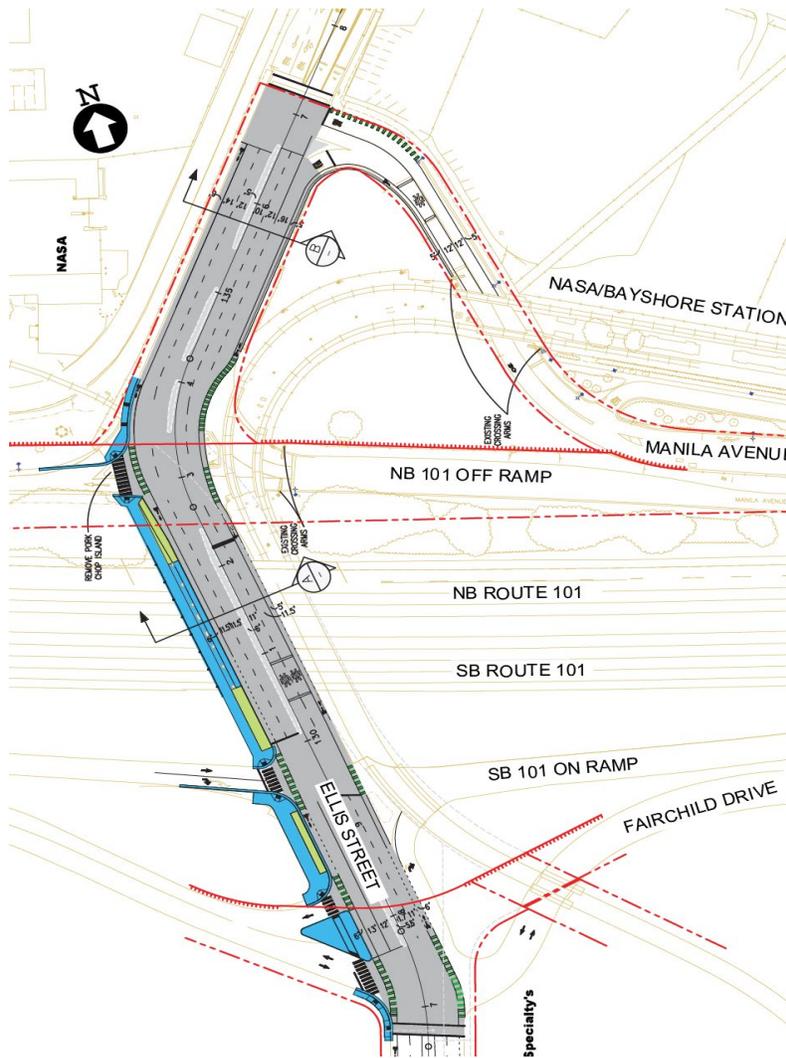
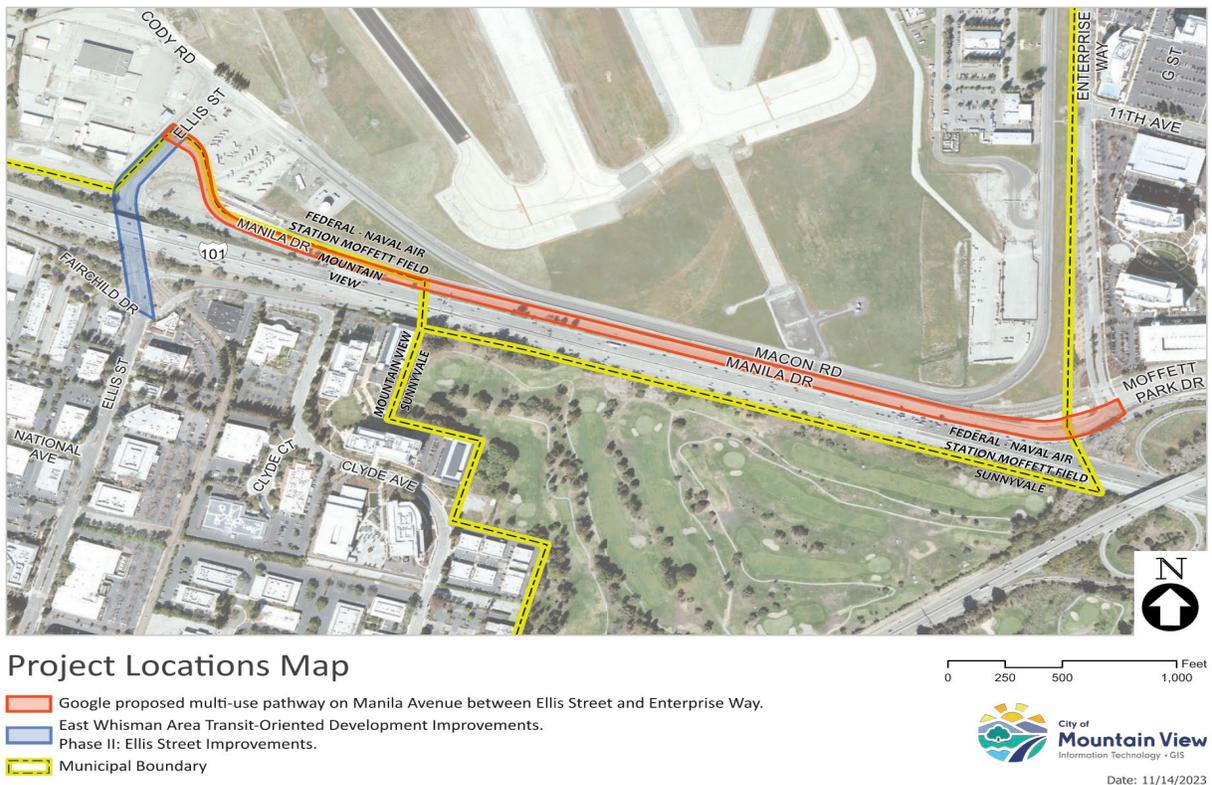


Figure 1: Original Phase II Scope

As the design of Phase II was progressing, Google proposed a project along Manila Avenue, between Ellis Street and Enterprise Way, to improve connectivity between the North Whisman area in Mountain View and the Moffett Park area in Sunnyvale, including access to the Bayshore/NASA LRT Station (see Figure 2 for project locations). The Google project included a multi-use pathway for pedestrians and bicyclists, pavement striping, and associated improvements along Manila Avenue. This project is consistent with the Council Strategic Priority of Mobility and Connectivity to promote transit and safe active transportation options that reduce single-occupancy vehicle trips and traffic and increase walking and biking. Recognizing the shared goal of improving connectivity and safety, the City and Google coordinated on the two projects and expanded the scope of the EWTOD Project to include an extension of the multi-use pathway on the west side of Ellis Street to connect to Manila Avenue (see Figure 2).

On [September 8, 2020](#), and subsequently corrected on [December 8, 2020](#), Council accepted a \$90,000 contribution from Google toward the additional design efforts and authorized a second contract amendment to add \$105,000 to expand the design scope of the project by extending the multi-use pathway to connect Manila Avenue to Ellis Street, for a total BKF project design amount of \$664,000.



**Figure 2: Project Locations Map**

Phase II design proceeded and incorporated modifications to be consistent with the Google project. The design has progressed to 95% completion and includes the following changes:

- Widening and conversion of the sidewalk to a two-way, multi-use pathway (minimum 12' wide) on the west side of Ellis Street, north of U.S. 101, and narrowing the median;
- Modifying the traffic signal at Ellis Street and Fairchild Drive;
- Widening the proposed pathway under U.S. 101 from 10' to 12' minimum; and
- Updating the geometry of intersections by widening crossings to accommodate pedestrians and bicyclists.

The Google project was set to begin construction with the City's Phase II project to follow afterward. Google's project also included scope to complete pavement rehabilitation and new striping along Ellis Street from the U.S. 101 northbound on-/off-ramp to Manila Avenue.

Google recently informed the City that Google's construction funding for the Manila Drive Bicycle Connector Project was not approved, and the project is no longer moving forward. It is not known when the Google project will proceed.

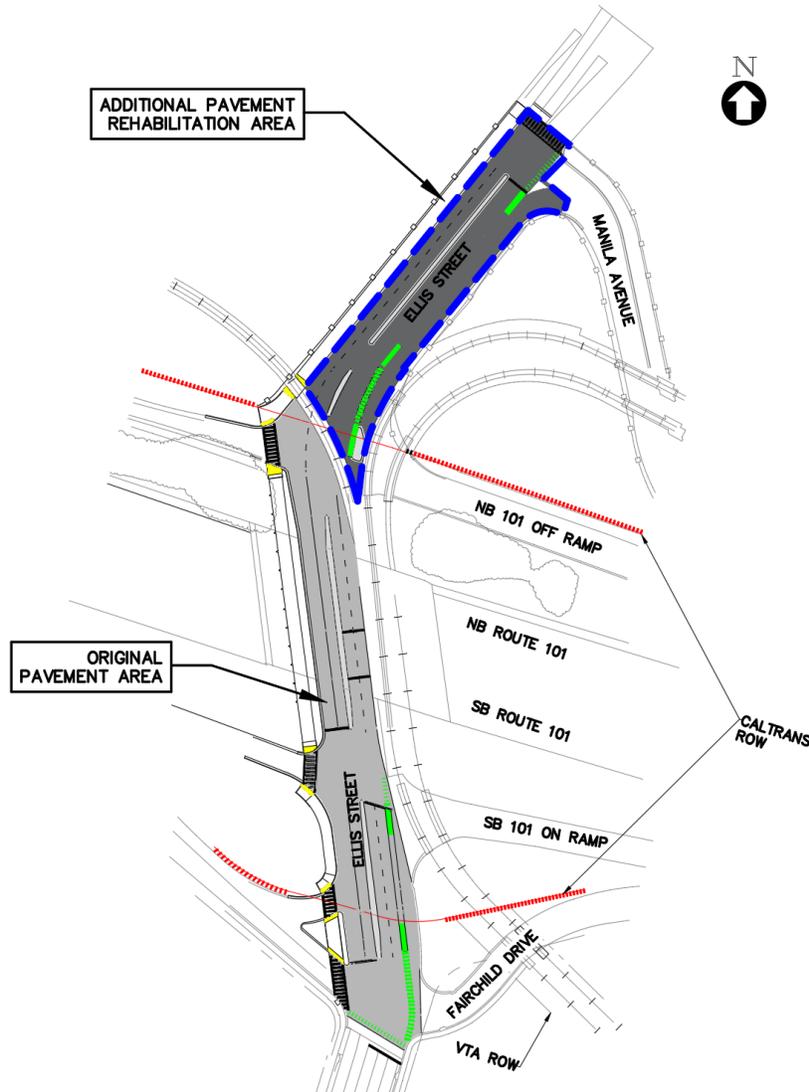
## **ANALYSIS**

Staff is recommending moving forward with Phase II with the current project scope, as well as the additional pavement rehabilitation. Additional scope elements are also needed to address Caltrans and stormwater regulatory requirements, irrespective of the Google Project. To proceed with the project independent of Google's project, an agreement amendment is needed with BKF.

The amendment includes (see Figure 3):

- Updating documents to the most recent 2024 Caltrans standards, per Caltrans requirements.
- Resubmitting the permit applications to both VTA and Caltrans.
- Providing Stormwater Runoff Compliance reporting.
- Incorporating additional pavement rehabilitation improvements north of the U.S. 101 on-/off-ramps (originally included as part of the Google project).

- Updating documents to reflect new Municipal Regional Stormwater Permit requirements effective as of July 1, 2023.



**Figure 3: Project Layout**

The recommended amendment fee of \$98,000 for the expanded scope of work is consistent with such services, and staff considers the fee to be fair and reasonable. Staff recommends Council authorize amending the agreement with BKF to add \$98,000 for a new total BKF project design amount not to exceed \$762,000, inclusive of basic and additional services and reimbursable expenses. If Council approves the recommended action, design is estimated to be complete by

the end of 2024, permitting approvals are expected in spring 2025, with start of construction in summer 2025.

**FISCAL IMPACT**

East Whisman Transit Oriented Development Improvements, Phase I/II, Project 16-48, is funded as follows:

**Table 1: Project Funding**

<b><u>Funding Source</u></b>	<b><u>Amount</u></b>
<b>Public Benefit—Ellis/Whisman</b>	\$3,200,000
<b>Transit Oriented Development Fund</b>	\$3,000,000
<b>Measure P GF Transportation Fund</b>	\$1,240,000
<b>Other (Google Funding)</b>	<u>\$90,000</u>
<b>TOTAL</b>	<u>\$7,530,000</u>

The professional services fee, with the inclusion of the recommended amendment, is \$680,700 for basic services and reimbursable expenses, with a contingency of \$81,300 for potential additional services, for a total BKF project design amount not to exceed \$762,000. The project budget has sufficient funds for the recommended action; no additional appropriation is requested at this time.

**CONCLUSION**

The EWTOD Project, Phase II, will provide bicycle, pedestrian, and transit access improvements along Ellis Street, between Fairchild Drive and Manila Avenue. Google’s project for Manilla Avenue originally included pavement rehabilitation for Ellis Street; however, it is no longer moving forward. Staff is recommending that the project proceed independent of Google’s project and include the additional pavement scope. An amendment is needed in the amount of \$98,000 to incorporate the additional design scope, update the current design package to meet current standards, and comply with stormwater regulatory requirements.

**ALTERNATIVES**

1. Do not authorize the amendment adding funding to the professional services agreement and direct staff to reduce the project scope.
2. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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