



# COUNCIL REPORT

**DATE:** February 27, 2024

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59— Professional Services Agreement**

## **RECOMMENDATION**

1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$937,000 from the Shoreline Regional Park Community Fund to Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59.
2. Acting in the joint capacity as the City Council and Board of Directors of the Shoreline Regional Park Community, authorize the City Manager or designee to amend the professional services agreement with AECOM Technical Services, Inc., for Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59, to add \$876,000 for a total agreement not-to-exceed amount of \$3,091,000.

## **BACKGROUND**

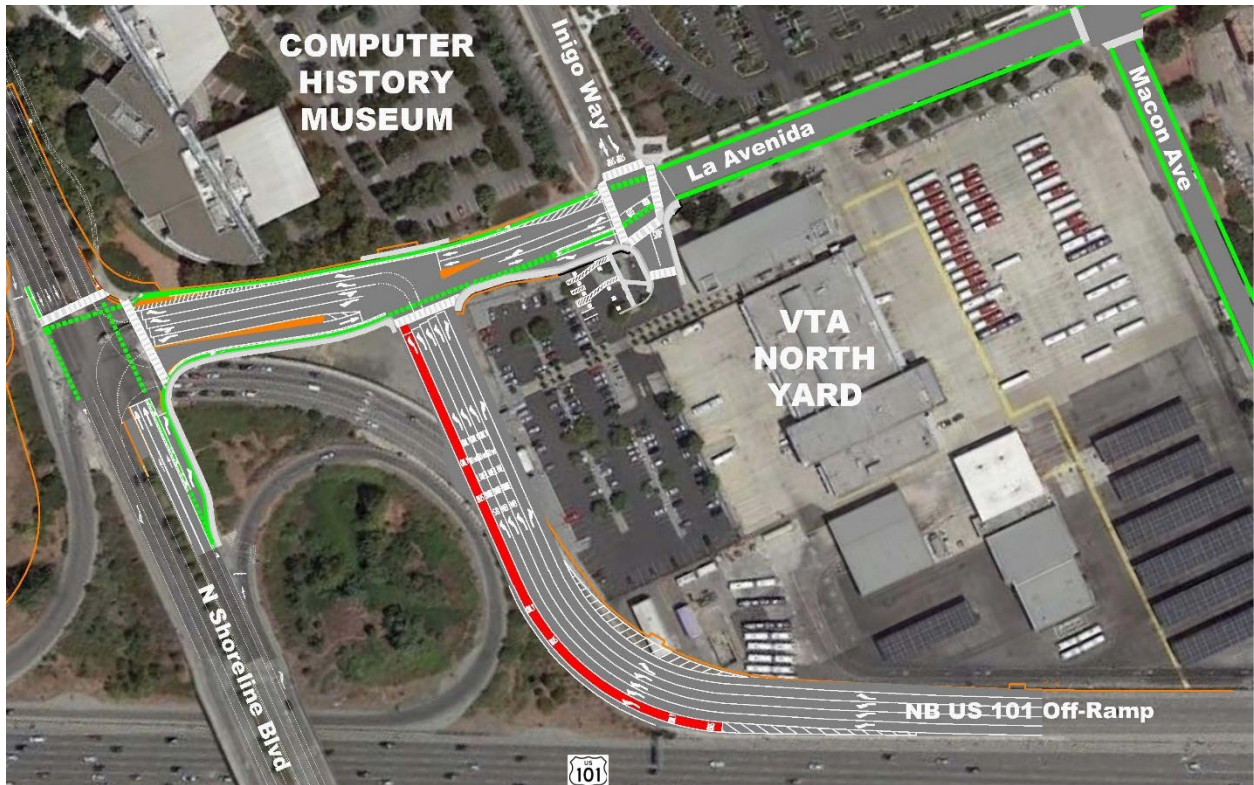
Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59 (Project), was identified as a Priority Transportation Improvement in the North Bayshore Precise Plan (NBPP) to facilitate anticipated growth in the North Bayshore Area. Certain development projects have been tied to the completion of this project via conditions of approval, including 2000 North Shoreline Boulevard (595,000 square feet of new office) and 1255 Pear Avenue (231,210 square feet of new office and 635 residential units).

The Project will realign the northbound U.S. 101 off-ramp (a Caltrans facility) to form a T-intersection at La Avenida. The major elements of the Project are described below and illustrated in Figure 1:

- Realign the existing northbound U.S. 101 ramp to intersect with La Avenida with a new signalized intersection;
- Modify the existing five-legged intersection at the U.S. 101 northbound off-ramp/Shoreline Boulevard/La Avenida to a four-legged intersection;

- Change the geometry of La Avenida at the intersection of Shoreline Boulevard from three lanes (one westbound going right, two westbound going left) to five lanes (four lanes westbound, of which two go left and two go right, and one goes eastbound) and eliminating the existing northbound off-ramp (eliminating two left-turn and two right-turn lanes);
- Construct a dedicated bus lane on the new northbound off-ramp;
- Install a traffic signal at the new northbound off-ramp/La Avenida intersection with bus signal priority;
- Construct Class II bike lanes on both sides of La Avenida between Shoreline Boulevard and Inigo Way;
- Construct a right-turn lane on northbound Shoreline Boulevard at La Avenida;
- Reconstruct the driveway and visitor parking lot at the Santa Clara Valley Transportation Authority (VTA) bus yard;
- Relocate PG&E and Comcast poles on the south side of La Avenida and adjust other utilities;
- Modify the traffic signal at the intersection of Shoreline Boulevard and La Avenida;
- Install one overhead sign structure on the U.S. 101 northbound off-ramp; and
- Install signal interconnect cable (SIC) between the signal at the Shoreline Boulevard/La Avenida intersection and the signal at the new northbound U.S. 101 off-ramp/La Avenida intersection.

The City is required to follow Caltrans standards, guidelines, and project development procedures due to the Project modifying a Caltrans facility.



**Figure 1: Project Location and Layout**

Table 1 provides the history of Council actions for the Project.

**Table 1: Project History**

Date	Action/Milestone
<a href="#"><u>June 13, 2017</u></a>	Council approved an agreement between the City and Caltrans for Caltrans to review the Project Study Report/Project Report (PSR/PR) and Environmental Clearance phase of the Project. This phase was approved by Caltrans on August 7, 2020.
<a href="#"><u>April 30, 2019</u></a>	Council approved the cooperative agreement with Caltrans for the design and construction of the Project, including right-of-way (ROW) acquisition. The City is funding all project costs for design, ROW acquisition, and construction and has received a \$5 million grant from the VTA Measure B sales tax program to use toward construction.
<a href="#"><u>June 4, 2019</u></a>	Council approved a professional services agreement with AECOM Technical Services, Inc. (AECOM), to provide design services for the Project in the amount of \$1,865,000.

Date	Action/Milestone
<a href="#"><u>May 24, 2022</u></a>	As part of the Project, Caltrans required the closure of the existing driveway access to the Computer History Museum (Museum) at La Avenida and the City agreed to provide an alternate driveway to the Museum off Inigo Way as a mitigation. The construction of the new Museum driveway access from Inigo Way was done separately from the main project as a first phase. Council approved plans and specifications for the Museum driveway work on May 24, 2022. Construction is substantially complete.
<a href="#"><u>September 27, 2022</u></a>	Council approved additional design services with AECOM in an amount of \$350,000, for a total agreement not to exceed \$2,215,000.

The main project to be undertaken as the second phase is the construction of the northbound U.S. 101 off-ramp realignment and La Avenida improvements. This phase is currently in the final design and right-of-way acquisition process.

**ANALYSIS**

Project 19-59 is a large and complex infrastructure project requiring extensive coordination and approval from multiple agencies and property owners. After awarding and proceeding with design services, many additional work items have surfaced due to Caltrans and other agency requirements and unforeseen conditions. The design of most project elements has continued and is nearing completion, including final realignment layout and details, right-of-way maps and appraisals, and incorporation of Caltrans standards.

**Hazardous Materials**

As part of the project design and development, hazardous materials reports were completed in June 2022 indicating the presence of elevated concentrations of Polychlorinated Biphenyl (PCB) and other hazardous/leachable materials at two locations on-site. Thus, Caltrans required engaging United States Environmental Protection Agency (EPA) and other regulatory agencies to coordinate the work plan to address the soil contamination. Staff has performed the following items since receiving the direction to engage the EPA:

- *Characterization of soil.* One subsurface soil investigation was performed to identify the delineation (limits, type, and concentrations) of soil contamination. The intent was to test the soil in gradual increments away from the two sites to confirm no further contamination was found. The investigations found similar contamination in shallow soil, but not in soil deeper than 4'. The vertical extent is considered delineated, but the horizontal delineation is still outstanding.

- *Groundwater and storm drain samplings.* Samplings were taken and tested to identify if PCB was present, and the results identified PCB levels to be inconsequential.
- *Work plan development and EPA 761 Application.* The City developed an initial work plan for soil investigation to delineate horizontal extent of PCB and began efforts to evaluate needs in order to file an EPA application consistent with the EPA PCB Facility Approval Streamlining Toolbox processes. The work plan was submitted for EPA review and approval.
- *Meetings and coordination.* Ongoing meetings with EPA, Caltrans, and VTA have occurred to coordinate the process taken on field investigations and plan of action.

As a result of the initial investigations and coordination with the regulatory agencies, the following steps are needed to continue developing a path forward to address the hazardous materials:

- *Additional soil investigations.* EPA is requiring further soil investigations of PCB within the project limits, beyond investigations already conducted.
- *Updated work plan.* In discussions with the EPA, the consultant will need to update the work plan to delineate the two locations where PCB was found and include areas where soil will be disturbed in the project site. This Phase 1 soil investigation work plan includes additional field investigation of 125 borings, sampling, and lab testing for contaminant analysis.
- *Subsequent investigations.* Depending on the results of the above identified borings and samplings, if PCB hot spots are found, those areas may require additional delineation. Additional field investigations may be required in areas where soil will not be disturbed. The exact scope is unknown, but as part of a Phase 2 soil investigation, staff is assuming an additional 100 borings may be needed.
- *EPA 761 Application.* Following an EPA-approved work plan and completion of soil investigations, an EPA 761 application will be filed for a regulatory decision for handling the contaminated soil.

Characterization and soil investigation is a complicated, iterative, and multi-step process. Further, Caltrans will not approve the project final plans and specifications until EPA makes a final regulatory decision on the application. This results in the soil contamination element becoming the critical path for the project.

### Consultant Amendment

Additional services are needed from AECOM to continue providing the technical expertise to coordinate the investigations and agency coordination efforts, and any resulting modifications needed to the final design. These services were not part of the original scope of work with AECOM. The additional services include the following:

- Additional project management, design services, utility agreement coordination, and right-of-way support.
- *Phase 1 soil investigations and report.* This includes 125 borings, including sampling and testing.
- *Phase 2 soil investigations and report.* If required by the EPA after the Phase 1 results, this task allows for additional soil sampling of up to 100 additional borings and samplings. This will keep the project efficiently moving forward by allowing staff to initiate the work if needed per EPA direction.
- Submit an EPA 761 Application.

The recommended fee of an additional \$876,000 for the expanded scope of work is consistent for such services, and staff considers the fee to be fair and reasonable. Staff recommends Council authorize amending the agreement with AECOM to add \$876,000 for a new total not-to-exceed amount of \$3,091,000, inclusive of basic and additional services and reimbursable expenses.

The project schedule is currently tentative and dependent on the soil investigations and EPA's final decision on the work plan and remediation. Should Council approve the recommended actions, the final design, right-of-way acquisition process, and coordination with regulatory agencies will continue with tentative completion in fall 2024. This would be followed by Caltrans review and approval of the project plans and specifications, and issuance of a Caltrans permit. Staff estimates returning to Council for approval of plans and specifications in spring 2025 for start of construction in summer 2025.

### FISCAL IMPACT

Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59, is funded with \$12,785,000 from North Bayshore Impact Fees for final design and right-of-way acquisition. An increase in appropriations of \$937,000 is requested to fund the additional costs. Staff recommends transferring and appropriating \$937,000 from the Shoreline Regional Park Community Fund to the Project to fund the contract amendment with AECOM. Should the recommended actions be approved, the Project would be funded in the amount of \$13,722,000.

There is sufficient funding in the Shoreline Regional Park Community Fund for the recommended action.

The professional services agreement fee, with the inclusion of the recommended amendment, is \$1,765,000 for basic services and reimbursable expenses and a contingency of \$1,326,000 for additional services, for a total not-to-exceed contract amount of \$3,091,000.

### **CONCLUSION**

Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59, is a large and complex infrastructure project that will provide improved circulation at this high-volume and critical intersection to serve anticipated growth in the NBPP area. The Project requires coordination and approval from multiple regulatory agencies and property owners. During site investigations, hazardous materials were discovered on-site, requiring engagement with the EPA and Caltrans. Further investigations and coordination efforts are needed to identify the work plan and remediation needed to address the soil contamination and has become the critical path item to move the project forward. Additional appropriations and a consultant agreement amendment are requested for additional efforts not included in the original scope of work, including additional project management and design changes, performing soil investigations, completing an EPA application, and continuing to coordinate with EPA, VTA, and Caltrans.

### **ALTERNATIVES**

1. Do not authorize the appropriation and direct staff to use a different funding source.
2. Do not authorize the amendment adding funding to the professional services agreement with AECOM and direct staff to identify alternative consultant services to meet EPA requirements to address the soil contamination.
3. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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