



**DATE:** May 7, 2019

**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 East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48, to add an additional \$42,000 for a total agreement amount of \$246,812.44.

### **BACKGROUND**

The East Whisman Area between Middlefield Road and U.S. Highway 101 is served by the Santa Clara Valley Transportation Authority (VTA) Middlefield Light Rail Transit (LRT) Station to the south and Bayshore/NASA LRT Station to the north. While the Middlefield LRT Station is convenient to commuters traveling to the southern portion of the East Whisman Area, the Bayshore/NASA LRT Station is separated from the area by U.S. Highway 101. The existing pedestrian route under U.S. Highway 101 requires pedestrians to use the narrow sidewalk along the west side of Ellis Street and bicyclists to share the roadway on Ellis Street and Manila Drive since there are no existing bike lanes.

A Professional Services Agreement was executed on June 15, 2016 for \$517,000 with BKF Engineers (BKF) to design the East Whisman Area Transit-Oriented Development (TOD) Improvements on Middlefield Road, between Whisman Road and Bernardo Avenue (Phase I), and on Ellis Street, between Fairchild Drive and Manila Avenue (Phase II). Due to the agreement expiring before the work was completed, the agreement was re-executed on April 8, 2019 for \$204,812.44 (remaining balance from the previous agreement) to complete the work. The design of Phase I is complete and is currently in construction.

Phase II of the project involves modification of curve radii at the three intersections of Ellis Street with Fairchild Drive and the U.S. Highway 101 on- and off-ramps, sidewalk

widening, landscaping, irrigation, storm drainage, striping, and pavement markings (including green bike lanes), lighting, and traffic signal modifications. The proposed improvements are shown in Attachment 1.

## **ANALYSIS**

Ellis Street has a Pavement Condition Index (PCI) of 50, which is considered “at-risk,” but bordering “poor” (PCI of 49 to 25) condition. Staff recommends adding pavement rehabilitation to the project scope to improve bicycle and pedestrian access along Ellis Street. The additional services needed to add pavement rehabilitation to the project include providing analysis of existing pavement along Ellis Street, obtaining permits for the investigation work, developing a plan for pavement rehabilitation, and incorporating the additional work into the plans, specifications, and cost estimate.

In addition, it was anticipated that the work within the State of California Department of Transportation (Caltrans) right-of-way would require Caltrans’ review and approval through Caltrans’ encroachment permit process. However, the cost of proposed work exceeds the \$1 million threshold for a Caltrans encroachment permit, and the project is now required to complete a Caltrans Permit Engineering Evaluation Report (PEER) for review and approval. The PEER process was not included in the original scope of work for BKF’s services. The additional services needed as part of the PEER process include additional coordination with Caltrans, preparation of Fact Sheet for Mandatory and Advisory Design Exceptions, Stormwater Data Report, Right-of-Way/Utility Certification, and the PEER.

The design of Phase II is scheduled for completion in fall 2019. Construction is partially funded and will proceed when full funding is available.

## **FISCAL IMPACT**

The total cost of the proposed additional services is approximately \$48,300. The existing BKF contract amount is \$204,812.44, with approximately \$31,700 available in contingency for additional design services. Increasing the agreement amount by \$42,000 will allow BKF to continue design, incorporate additional services not included in the original scope, and provide \$25,400 in contingency, bringing the total contract amount to \$246,812.44.

The East Whisman Area Transit-Oriented Development Improvements, Project 16-48, is funded with \$3 million from the Transit-Oriented Development Fund. The cost for design and construction of Phase I totals \$1.9 million. This provides \$1.1 million for

Phase II, which provides sufficient funding for the Phase II design cost. Any remaining balance will be used towards construction.

**ALTERNATIVES**

1. Do not authorize the agreement amendment.
2. Provide other direction.

**PUBLIC NOTICING** – Agenda posting.

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JH/TS/1/CAM  
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Attachment: 1. Phase II: Ellis Street Proposed Improvements

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