



## Legislation Details (With Text)

**File #:** 21-310      **Version:** 1      **Name:** CSA Amendment #3 for NCE (SR)  
**Type:** Staff Report      **Status:** Filed  
**In control:** City Council  
**On agenda:** 6/21/2021      **Final action:** 6/21/2021  
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**Title:** Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 3 for \$239,957 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; to Authorize the City Manager to Negotiate and Approve Agreement Amendments up to \$51,860; and to Extend the Term of the Contract to December 31, 2022

**Sponsors:** Keith Cooke

**Indexes:**

**Code sections:**

**Attachments:** 1. Consulting Service Agreement, 2. CSA Amendment 1 - Draft, 3. CSA Amendment 2 NCE - Draft

Date	Ver.	Action By	Action	Result
6/21/2021	1	City Council	Received and Filed	Pass

Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 3 for \$239,957 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; to Authorize the City Manager to Negotiate and Approve Agreement Amendments up to \$51,860; and to Extend the Term of the Contract to December 31, 2022

### SUMMARY AND RECOMMENDATIONS

This contract amendment provides for additional scope related to the inclusion of complete streets elements, the extension of the design on Hesperian Boulevard to include the segment from Thornally Drive to Fairmont Drive, and the inclusion of pavement design for Aurora Drive between Williams Street and Marina Boulevard in the subject project.

Staff recommends the following:

- Approve Amendment No. 3 to an existing Consulting Services Agreement with Nichols Consulting Engineers that:
  - Increases the contract amount by \$239,957, resulting in a total contract amount of \$1,012,525; and
  - Extends the existing contract to December 31, 2022; and
- Authorize the negotiation and approval of future agreement amendments up to \$51,860.

### BACKGROUND

The Annual Street Overlay / Rehabilitation 2019-2021 project will repave a total of fourteen street segments, comprised of arterials, collectors, and residential streets at an anticipated total project cost

of \$11 million. City Council previously authorized a design contract with Nichols Consulting Engineers (NCE) for the project and authorized staff to negotiate and execute amendments to the contract up to 25% of the original contract amount. There are two existing amendments to the CSA: Amendment No. 1 corrected a clerical error that resulted in an incorrect original encumbrance. Amendment No. 2 addressed costs related to restricting potholing work to low traffic periods. Amendments Nos. 1 and 2 combined represent a 12% change in contract value.

The City performed a Complete Streets evaluation to determine how the chosen streets could better serve transit, pedestrians, bicyclists, trucks, and personal vehicles. The work includes incorporating recommendations from the Bicycle and Pedestrian Master Plan approved in 2018 including Class IV bicycle lanes on Hesperian Boulevard. The Complete Streets evaluation identified desired improvements to the bicycle and pedestrian facilities, as well as a road diet on Hesperian Boulevard and Grand Avenue. Additional design work will be needed to implement these improvements. The additional work includes extending the road striping changes on Hesperian Boulevard northward from Thornally Drive to Fairmont Drive and obtaining a railroad crossing permit and a revised crossing agreement from Union Pacific Railroad (UPRR) for changes to the Niles Subdivision (railroad track) roadway crossing resulting from the addition of Class IV bicycle lanes.

Additionally, Public Works staff requested that the City add to the project repaving of Aurora Drive between Marina Boulevard and Williams Street.

### **Analysis**

Design of Complete Streets features is an important aspect of the project. Contracting with NCE for the work is the most efficient way to deliver the work. A significant amount of effort, 45% of the fee, is required to obtain railroad crossing permits and revised crossing agreements with UPRR for the changes to the layout of Hesperian Boulevard at the crossing of the Niles subdivision. The balance of the fee is for the design of Complete Streets features, data collection, and design of improvements on Aurora Drive. The costs for these services are in alignment with the design fees for other streets within this contract.

Design of improvements to the intersection of Aurora Drive and Walnut Drive is included in the original consulting services agreement (CSA). During the initial review of the design, Public Works staff reported receiving frequent pothole repair requests for Aurora Drive and asked that the project be expanded to include paving Aurora Drive between Marina Boulevard and Williams Street. This is an efficient time to pave this segment due to the planned work in the immediate area.

Staff also requests authorization to negotiate future agreement amendments up to \$51,860 to timely address any unforeseen design issues. This authorization will ensure that the design work continues without interruption and that the project documents are delivered on time. If future amendments are not needed, the funds will remain in the project account.

Extending the term of the contract will ensure that NCE's services will be retained during the construction phase of the project.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure.

**Previous Actions**

- On April 6, 2020 by Resolution No. 2020-031, the City Council authorized the City Manager to execute a consulting services agreement with Nichols Consulting Engineers (NCE) for the Design of the Annual Street Overlay/Rehabilitation 2019-21, Project No. 2020.0050 and authorized change orders up to 25%.

**Applicable General Plan Policies**

- **Transportation Goal T-2:** Design and operate streets to be safe, attractive, and accessible for all transportation users whether they are pedestrians, bicyclist, transit riders or motorists, regardless of age or ability.
- **Transportation Goal T-3:** Promote and accommodate alternative, environmentally friendly methods of transportation, such as walking and bicycling.
- **Transportation Goal T-5:** Improve major transportation arteries for circulation in and around the city.
- **Transportation Goal T-7:** Improve traffic safety and reduce the potential for accidents on San Leandro streets.

**Environmental Review**

This project is categorically exempt per Section 15301(c) of the CEQA guidelines. A notice was filed with the Alameda County Recorder in May, 2021.

**Fiscal Impacts**

The estimated total project cost is as follows:

Design and Bid	\$1,378,900
Construction Contract	\$8,502,400
Design and Construction Contingencies	\$1,273,000
<u>Construction Management</u>	<u>\$185,000</u>
<b>TOTAL</b>	<b>\$11,339,300</b>

Consultant Agreement Amendment Summary

<b>Amend. No.</b>	<b>Description</b>	<b>Amount</b>	<b>% of <u>Orig. fee</u></b>
1.	Corrected contract error that resulted in an incorrect original encumbrance.	\$25,680	3.7%
2.	City requested changes to limit potholing work to low traffic periods.	\$55,377	8.0%
3.	Increased scope to include Complete Street Elements evaluation and design, railroad crossing permitting and <u>to design Aurora Dr. repave.</u>	<u>\$239,957</u>	<u>34.7%</u>
	<b>Agreement Amendment Total</b>	<b>\$321,014</b>	<b>46.4%</b>

**Budget Authority**

This project will be funded as follows:

<u>Account No.</u>	<u>Source</u>	<u>FY/Approp. Date</u>	<u>Amount</u>
210-38-419	Budget, General Fund	FY 2020-21	\$2,140,000
142-38-419	Gas Tax	FY 2020-21	\$1,000,000
141-39-403	Measure BB Grant	FY 2020-21	\$7,000,000
141-38-419	Measure B	FY 2020-21	\$1,200,000
	<b>TOTAL</b>		<b>\$11,340,000</b>

**Attachment to Staff Report**

- Consultant Service Agreement
- CSA Amendment No. 1
- CSA Amendment No. 2

**Attachment to Related Legislative File**

- CSA Amendment No. 3 - NCE

**PREPARED BY:** Austine Osakwe, Senior Engineer, Engineering and Transportation