



## Legislation Text

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**File #:** 22-622, **Version:** 1

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Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 5 in the Amount for \$122,230.00 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-2021 Project, Project No. 2020.0050

### **COUNCIL PRIORITY**

- Infrastructure

### **SUMMARY**

This contract amendment provides for additional scope related to the design revisions of striping and hardscaping on Grand Avenue, striping for Manor Blvd., and video detection at the traffic signal at the Bancroft/Estudillo intersection.

### **RECOMMENDATIONS**

Staff recommends the following:

- Approve Amendment No. 5 to an existing Consulting Services Agreement (CSA) with Nichols Consulting Engineers that increases the contract amount by \$122,230.00, resulting in a total contract amount of \$1,663,339.00.

### **BACKGROUND**

The Annual Street Overlay / Rehabilitation 2019-2021 project will repave a total of fifteen street segments, comprising of arterials, collectors, and residential streets.

City Council previously authorized a design contract with Nichols Consulting Engineers (NCE) for the project. There are four existing amendments to the CSA: Amendment No. 1 corrected a typographical error that resulted in an incorrect original encumbrance; Amendment No. 2 addressed costs related to restricting potholing work to low traffic periods; Amendment No. 3 addressed costs relating to complete street work, extending the limits of work on Hesperian Boulevard, and designing the repaving of Aurora Drive; and Amendment No. 4 addressed costs related to the design of street elements on Bancroft Avenue, Grand Avenue, Hesperian Boulevard, and Manor Boulevard. Amendments Nos. 1, 2, 3 and 4 combined represent a 122.7% 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. This work included reviewing recommendations from the Bicycle and Pedestrian Master Plan approved in 2018. The Complete Streets evaluation identified desired improvements to the bicycle and pedestrian facilities including a road diet on Hesperian Boulevard and Grand Avenue. The recommendation for Hesperian Boulevard

includes landscape buffers between the bike lane and travel lanes. On Manor Boulevard, the Complete Streets evaluation resulted in a recommendation to install Rectangular Rapid Flashing Beacons at two crosswalks. On Bancroft Boulevard, staff recommends that the project install improvements between Callan Avenue and Estudillo Avenue per an existing school site safety assessment consisting of curb bulb-outs to reduce pedestrian crossing distance, Rectangular Rapid Flashing Beacons (RRFBs) at one crossing and adding an Accessible Pedestrian Signal (APS) at an existing signalized intersection. Additional design work is needed to implement these improvements.

To expedite construction, the project has been split into two phases - phase 1 is currently in construction, while phase 2 will follow later under a separate contract. The phase 2 project will include streets that require additional design and coordination with public utility agencies.

### **Analysis**

The Complete Streets features identified by the City are an integral aspect of the project. Contracting with NCE is the most efficient way to deliver the work. Amendment No. 5 includes the fees for additional design revisions to Grand Avenue, Manor Boulevard, and the Bancroft/Estudillo intersection. In addition, this Amendment also adds fees for tasks that were inadvertently excluded from Amendment No. 4. The cost of Amendment No. 5 is \$122,230.00, resulting in a total contract amount of \$1,663,339.00.

The rejection of Amendment No. 5 will deny the City the opportunity to include the above-mentioned essential safety enhancements in this 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 2019-2021, Project No. 2020.0050 and authorized change orders up to 15% of the original contract amount
- On January 4, 2021, by Resolution No. 2021-005, the City Council approved a reduction of the number of vehicle travel lanes from three to two and the installation of Class IV Bicycle lanes on Hesperian Blvd. between Fairmont Drive and Spring Lake Drive
- On June 21, 2021, by Resolution No. 2021-088, the San Leandro City Council approved Amendment No. 3 for \$239,957.00 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-2021 Project, Project No. 2020.0050 and authorized the City Manager to Negotiate and Approve Agreement Amendments up to \$51,860.00; and extended the Term of the Contract to December 31, 2022
- On January 4, 2022, by Resolution No. 2022-002, the City Council authorized the City Manager to enter into a project funding agreement with ACTC for grant funding for Class IV protected bike lanes on Hesperian Blvd and Fairmont Dr. and to appropriate \$1,479,000.00 in grant funds

- On February 22, 2022, by Resolution No. 2022-034, the San Leandro City Council approved Amendment No. 4 for \$528,584.00 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-2021 Project, Project No. 2020.0050

**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 collisions 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 December 2021.

**Legal Analysis**

NCE has agreed to the terms of the contract amendment.

**Fiscal Impacts**

Sufficient funds are included in Fiscal Year 2022-23 for the subject contract.

<u>Account No.</u>	<u>Source</u>	<u>FY/Approx. 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
150-38-423	ACTC Grant	FY 2021-22	\$1,479,000
141-38-419	Measure B	FY 2020-21	\$1,200,000
<b>TOTAL</b>			<b>\$12,819,000</b>

This Council action will not impact fund balance because there are funds available in the (FY 2022-2023) adopted budget.

The estimated total project cost is as follows:

Design and Bid	\$1,800,000
Construction Contract	\$9,500,000
Design and Construction Contingencies	\$1,273,000
<u>Construction Management</u>	<u>\$185,000</u>

**TOTAL** \$12,758,000

Consultant Agreement Amendment Summary

<u>Amend No.</u>	<u>Description</u>	<u>Amount Orig. Fee</u>	<u>% of</u>
	ORIGINAL CSA - DESIGN OF ANNUAL OVERLAY 19-21	\$691,511	
1.	Corrected clerical error that resulted in an incorrect original encumbrance.	\$ 25,680	3.7%
2.	Limit potholing work to low traffic periods.	\$ 55,377	8.0%
3.	Add paving of Aurora Drive to the project, extend complete street work on Hesperian from Thornally to Fairmont	\$239,957	34.7%
4.	Add design of complete street features on Bancroft Hesperian, Grand, and Manor. Add landscape design on Hesperian. Add RR permitting of road diet on Hesperian.	\$528,584	76.3%
<b>Proposed</b>			
5.	Design revisions of striping and hardscaping on Grand Avenue, the striping for Manor Blvd and a video detection traffic signal on Bancroft/Estudillo intersection.	\$122,230	17.7%
<b>Agreement Amendment Total</b>		<b>\$1,663,339</b>	<b>140.7%</b>

**Attachments**

- Att A: Amendment 5 Reso
- Att B: Consultant Service Agreement
- Att C: CSA Amendment No. 1
- Att D: CSA Amendment No. 2
- Att E: CSA Amendment No. 3
- Att F: CSA Amendment No. 4
- Att G: Scope of Services
- Att H: Compensation Schedule

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