



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/02/21

ITEM NO: 5

DATE: October 28, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Cooperative Agreement with the California Department of Transportation for the Development of a Project Initiation Document for the Highway 17 Bicycle and Pedestrian Overcrossing Project (CIP No. 818-0803) in an Amount Not to Exceed \$135,000, and Authorize the Town Manager to Execute Future Cooperative Agreements with Caltrans as Necessary for Future Project Phases

RECOMMENDATION:

Authorize the Town Manager to execute a Cooperative Agreement with the State Department of Transportation (Caltrans) for the development of a Project Initiation Document for the Highway 17 Bicycle and Pedestrian Overcrossing Project (CIP No. 818-0803) in an amount not to exceed \$135,000, and authorize the Town Manager to execute future Cooperative Agreements with Caltrans as necessary for future project phases.

BACKGROUND:

On September 1, 2020, the Town Council approved the Feasibility Study for the Highway 17 Bicycle and Pedestrian Overcrossing Project (BPOC) and directed staff to proceed with the design of a separate bicycle and pedestrian structure. On May 20, 2021, the firm of BKF Engineers was hired to prepare the necessary design documents for the project.

As the project will cross over Highway 17, Caltrans will be intimately involved in the design and construction of the project. Design of the project must follow the established Caltrans Project Development Procedures, and a permit will be required from Caltrans before the project can be advertised for construction bids.

PREPARED BY: WooJae Kim
Town Engineer

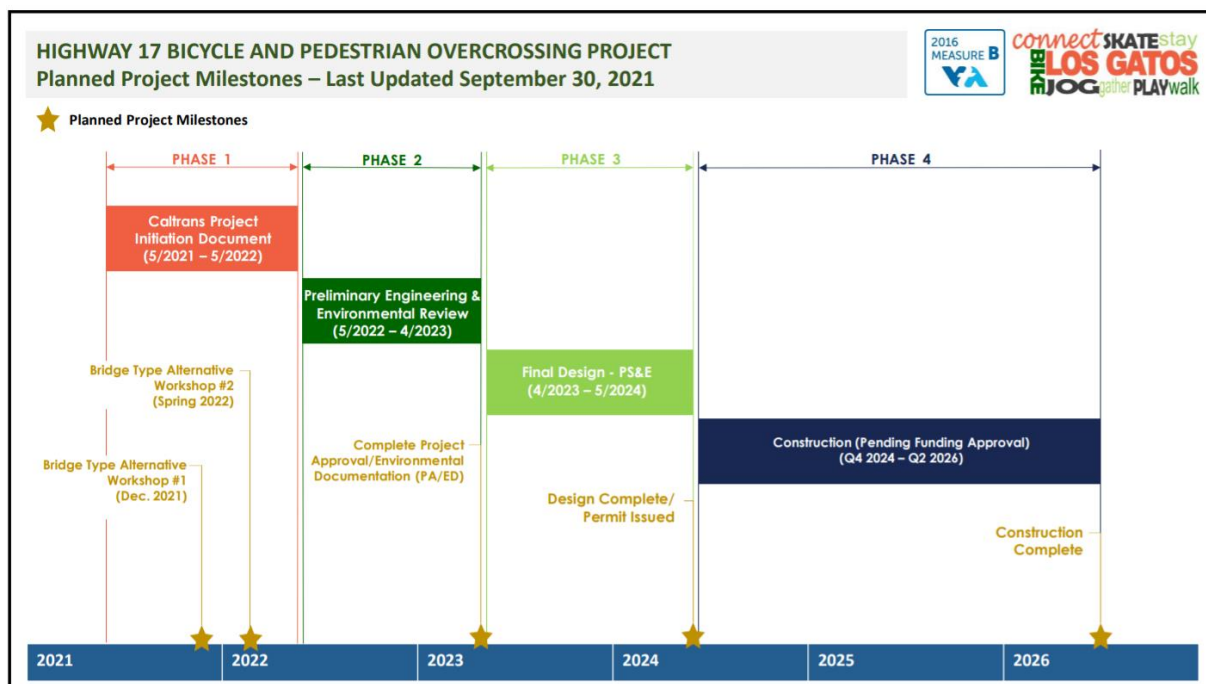
Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and the Director of Parks and Public Works

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DATE: October 20, 2021

DISCUSSION:

The Caltrans Project Development Procedures outline a series of three mandated design phases for the sponsoring agency to follow. The first is the preparation of a Project Initiation Document (PID Phase), the next phase is the Project Acceptance/Environmental Documentation (PA/ED Phase), and the last is the development of the final Plans, Specifications, and Estimates (PS&E Phase). Before starting work on each phase, the Town is required to enter into a Cooperative Agreement with Caltrans for the review of the project to ensure compliance with Caltrans requirements for facilities in the Caltrans right of way. The current project schedule reflects these three phases as shown below:



During the initial PID phase, Caltrans will designate representatives from various Caltrans departments to review and participate in the design process. A work plan with the roles and responsibilities for project team members will be developed. Much of the work that has been presented as part of the Feasibility Study will be formalized in the PID along with a developed project scope, preliminary geometric drawings, cost estimates, and schedule information.

This phase is unique in that it will require the Town to reimburse Caltrans for the cost of their project team to review and process the PID. Caltrans estimates that the oversight and

PAGE 3 OF 5

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DISCUSSION (continued):

processing of the PID for the BPOC project would cost \$135,000 to be invoiced based on actual costs incurred. Caltrans has prepared the Cooperative Agreement (Attachment 1) for the Town's consideration. Before Caltrans can assign a project team for the BPOC project, the Cooperative Agreement for the PID phase must be executed.

Subsequent phases will require new Cooperative Agreements with Caltrans, but they are not anticipated to require reimbursement to Caltrans for expenses associated with the future design phases. Therefore, staff is asking Council to authorize the Town Manager to execute future Cooperative Agreements with Caltrans for future design phases of the project. Funding for Caltrans involvement in the construction phase will be identified in the future Construction Cooperative Agreement to be presented to Council before the start of construction.

CONCLUSION:

Staff is requesting the Town Council to authorize the Town Manager to execute the Cooperative Agreement in substantial compliance with Caltrans provisions in the amount of \$135,000, and also to authorize the Town Manager to execute future Cooperative Agreements with Caltrans as necessary for the future project phases.

FISCAL IMPACT:

The adopted Fiscal Year (FY) 2021/22-2025/26 Capital Improvement Program (CIP) Budget designates funding for the Highway 17 Bicycle and Pedestrian Bridge – Design (CIP No. 818-0803) with a total project budget of \$3,935,444. Current project budget includes sufficient funds for the Caltrans PID Cooperative Agreement and other anticipated costs through final design. Estimated construction costs of \$25M are currently unfunded.

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FISCAL IMPACT (continued):

Highway 17 Bicycle and Pedestrian Overcrossing Project CIP No. 818-0803		
	Budget	Costs
GFAR	\$ 946,210	
Traffic Mitigation Fund	\$ 147,249	
TDA Article 3	\$ 87,451	
2016 Measure B	\$ 2,754,534	
Total Project Budget	\$ 3,935,444	
Expenditures + Encumbrances to Date		
BKF Engineering – Feasibility Study		\$ 234,456
BKF Engineering – Final Design (Expense + Encumbrance)		\$ 3,000,000
Caltrans PID Cooperative Agreement (Approved with this Report)		\$ 135,000
Advertising		\$ 295
Staff Costs*		\$ 54,272
Total Expenditures		\$ 3,424,023
Remaining Budget		
		\$ 511,421
Future Anticipated Costs		
Design Contingency		\$ 300,000
Staff Costs*		\$ 161,421
Misc. Project Delivery Costs		\$ 50,000
Construction		\$ 25,000,000
Anticipated Additional Costs		\$ 25,511,421
Additional Funding Needed		
		\$ 25,000,000
*Additional revenue from 2016 Measure B will be reimbursed to the Town for full-time staff.		

Parks and Public Works staff costs are tracked for all projects. Tracking of staff costs allows for accountability in the costs of the project, recovery of costs for grant funded projects, and identification of future staffing needs. This project utilized both full-time and part-time temporary staff. The costs associated with staff that are not included in the Parks and Public Works Department budget will be charged to the project through an administrative transfer of funds.

PAGE 5 OF 5

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ENVIRONMENTAL ASSESSMENT:

The recommended action is not a project under CEQA. In subsequent project phases, environmental assessments shall be conducted as required per the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) for the project determination. It is anticipated that the Town will request Caltrans to allow the Town to be the lead agency for CEQA. Caltrans will remain the responsible party for NEPA compliance.

Attachments:

1. Caltrans PID Cooperative Agreement