



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/01/2024

ITEM NO: 3

DATE: September 26, 2024
TO: Mayor and Town Council
FROM: Katy Nomura, Interim Town Manager
SUBJECT: Shannon Road Pedestrian and Bikeway Improvement Project (CIP No. 813-0218):
a. Authorize the Town Manager to Execute the Fifth Amendment to the Consulting Services Agreement with ActiveWayz Engineering for Additional Engineering Services in the Amount of \$15,772, Resulting in a Total Agreement Amount Not to Exceed \$292,705; and
b. Extend the Term to December 31, 2025

RECOMMENDATION:

Shannon Road Pedestrian and Bikeway Improvement Project (CIP No. 813-0218):

- a. Authorize the Town Manager to execute the fifth amendment to the consulting services agreement with ActiveWayz Engineering for additional engineering services in the amount of \$15,772, resulting in a total agreement amount not to exceed \$292,705; and
- b. Extend the term to December 31, 2025.

BACKGROUND:

The Shannon Road Pedestrian and Bikeway Improvements Project will provide pedestrian and bicycle safety improvements on Shannon Road between Los Gatos Boulevard and Cherry Blossom Lane. This segment of Shannon Road is a two-lane neighborhood collector street with high volumes of bicycle and pedestrian traffic when schools are in session. The street is a popular route for students attending Blossom Hill Elementary, Louise Van Meter Elementary, and Raymond J. Fisher Middle Schools. There are intermittent sections of sidewalk on both sides of the roadway. Currently, on-street parking is not allowed on Shannon Road between 7 a.m. and 6 p.m., except on Saturdays, Sundays, and holidays. Construction of this project started in September 2024.

PREPARED BY: Saurabh Nijhawan
Senior Civil Engineer

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

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SUBJECT: Authorize Fifth Amendment to Consultant Services Agreement with ActiveWayz Engineering

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On April 20, 2021, the Town Council authorized the Town Manager to execute a consultant services agreement in the amount of \$126,631 with ActiveWayz Engineering for design services associated with the Shannon Road Pedestrian and Bikeway Improvement Project.

On March 1, 2022, the Town Council authorized the Town Manager to execute the First Amendment to the consultant services agreement with ActiveWayz Engineering, in an amount of \$44,840 to provide additional community outreach and additional design options as a result of community concerns, for a total agreement amount \$171,471.

On April 18, 2023, the Town Council authorized the Town Manager to execute the Second Amendment to the consultant services agreement with ActiveWayz Engineering, in an amount of \$25,238 for bidding support services for a total agreement amount \$196,709. At this meeting, Town Council directed staff to modify the design to address resident concerns.

On August 15, 2023, the Town Council authorized the Town Manager to execute the Third Amendment to the consultant services agreement with ActiveWayz Engineering, in an amount of \$80,224 to incorporate the design changes required as a result of additional community outreach completed in June 2023. This resulted in a total agreement amount \$276,933.

On December 5, 2023, the Town Council authorized the Town Manager to execute the Fourth Amendment to the consultant services agreement with ActiveWayz Engineering, extending the term to December 31, 2024, to accommodate the delay in construction that resulted from community requested changes.

DISCUSSION:

ActiveWayz Engineering initially allocated \$19,490 to assist Town staff in acquiring the Construction Funding Authorization (E-76) from Caltrans. The E-76 form is required because the project includes transportation funding through the Vehicle Emissions Reduction Based at Schools (VERGS) and Transportation Fund for Clean Air (TFCA) grant programs. The completion of the E-76 was delayed due to the changes in project design, including the final changes following the June 2023 outreach, which necessitated unanticipated changes to the E-76.

As a result, ActiveWayz ended up spending \$34,154.11 for these services (a net increase of \$15,772) resulting in the need for a fifth amendment.

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CONCLUSION:

Approving the fifth amendment will ensure ActiveWayz Engineering will allow for necessary construction support for the Shannon Road Pedestrian and Bikeway Improvement Project.

FISCAL IMPACT:

There are sufficient funds in the Adopted Fiscal Year 2024/25-2028/29 CIP Budget for this amendment to the contract with ActiveWayz.

Shannon Road Pedestrian and Bikeway Improvements		
CIP No. 813-0218		
	Budget	Costs
GFAR	\$ 740,296	
OBAG Grant	\$ 940,100	
TFCA Grant	\$ 174,250	
Storm Basin #1	\$ 647,717	
Traffic Mitigation	\$ 133,380	
Underground Utility Funds	\$ 71,201	
Total Budget	\$ 2,706,944	
Expenses Including Encumbrances		\$ 2,442,738
Construction Contingency for Sposeto Engineering (Previously Approved)		\$ 195,449
Fifth Amendment with ActiveWayz (Requested with this Staff Report)		\$ 15,772
Temporary/Part-Time Staff		\$ 52,985
Total Expenditures		\$ 2,706,944
Remaining Budget		\$0

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA and is Categorically Exempt (Section 15301(c)). A Notice of Exemption has been filed.

Attachments:

1. Fifth Amendment to Agreement for Consultant Services - ActiveWayz Engineering, with Exhibits A (previous amendments and original agreement) and B (task list)