



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/18/2024

ITEM NO: 11

DATE: June 13, 2024

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Highway 17 Bicycle and Pedestrian Overcrossing (Project No. 818-0803)

- a. Authorize the Town Manager to Execute a Second Amendment to the Agreement for Consultant Services with BKF Engineers Inc. for Additional Environmental Consulting Services in the amount of \$39,000 for a Total Agreement Not to Exceed \$3,087,735; and
- b. Authorize an Expenditure Budget Adjustment in the Amount of \$34,822 to Authorize the Allocation to the Previously Received Transportation Development Act Article 3 Grant Receipt.

RECOMMENDATION:

Highway 17 Bicycle and Pedestrian Overcrossing (Project No. 818-0803)

- a. Authorize the Town Manager to execute a Second Amendment to the Agreement for Consultant Services with BKF Engineers Inc. for additional environmental consulting services in the amount of \$39,000 for a total agreement not to exceed \$3,087,735; and
- b. Authorize an expenditure budget adjustment in the amount of \$34,822 to authorize the allocation to the previously received Transportation Development Act Article 3 Grant receipt.

BACKGROUND:

The Highway 17 Bicycle and Pedestrian Overcrossing Project is a high priority project in the Town's adopted Bicycle and Pedestrian Master Plan (BPMP). The project is intended to improve bicycle and pedestrian mobility, encourage active transportation, close a gap in the Town's bicycle network, and enhance safety for all modes of travel on Blossom Hill Road between Roberts Road West and Roberts Road East. Blossom Hill Road is a high-volume transportation corridor and route to school for the Town.

PREPARED BY: Sean Rose
Special Projects Manager

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

BACKGROUND (continued):

The project is being led by the Town with significant funding support from the 2016 Santa Clara Countywide Measure B Program and design oversight by Caltrans for the portion of the project within Caltrans' Highway 17 right of way.

The current project design includes: 1) a new 20-foot wide bicycle/pedestrian bridge over Highway 17 south of the existing Blossom Hill Road overcrossing; 2) pathways on the east and west sides of the new bridge to provide a new, continuous bicycle and pedestrian pathway between Roberts Road West and Roberts Road East; 3) safety enhancements to the Blossom Hill Road/Roberts Road West and Blossom Hill Road/Roberts Road East intersections; and 4) modifications to the existing vehicle and bicycle lane configurations and pedestrian facilities on Blossom Hill Road. A Location Map of these project improvements is shown in Attachment 1.

The following is a brief chronology of past Town Council actions associated with the project:

- On June 18, 2019, Council authorized the issuance of a Request for Proposals (RFP) for the project's feasibility study and authorized the consultant agreement in an amount not to exceed \$234,456.
- On March 3, 2020, Council approved the project's purpose and need, and authorized staff to proceed with design alternatives for a separate bicycle and pedestrian overcrossing.
- On September 1, 2020, at the recommendation of the Town's Complete Streets and Transportation Commission (CSTC), Council adopted the 2020 BPMP update identifying the project as a high priority.
- On September 1, 2020, Council approved the feasibility study, directed staff to proceed with final design of a separate 16- to 20-foot wide bridge south of Blossom Hill Road and analyze three bridge types (steel truss, steel arch, and concrete), authorized the submittal of an Active Transportation Program (ATP) grant application for construction, and committed up to \$1 million in FY23-24 budget funding as a local match for the ATP grant.
- On December 1, 2020, Council authorized a Measure B grant funding agreement in the amount of \$2,754,990 for project design, authorized \$946,210 in General Fund budget as a required local match for the Measure B grant, authorized issuance of a RFP for project design and authorized the Town Manager to sign a consultant agreement in an amount not to exceed \$3,000,000, and approved the project's community engagement plan. On May 20, 2021, the Town entered into an agreement for consultant services with BKF for project design including preliminary engineering, environmental review,

BACKGROUND (continued):

and final design in an amount not to exceed \$3,000,000 consistent with the Council action that had been taken on December 1, 2020.

- On November 9, 2022, Council received an update on the project's community outreach activities and the preferred bridge type, and approved the concrete box girder as the preferred bridge type for project design.
- On February 20, 2024, Council authorized a first amendment to the agreement with BKF for grant writing services, in the amount of \$48,735, for a total agreement not to exceed amount of \$3,048,735, and recognized the need for \$1,500,000 in matching funds as local match for construction grants. The grant writing services were for the completion of the Safe Streets for All (SS4A) and Active Transportation Program (ATP) grant applications for construction funding. The SS4A application was submitted in May and the ATP application deadline is June 17, 2024.

DISCUSSION:

The project is currently in the conceptual design and environmental approval phase. During staff's review of the concept design, staff directed BKF to modify the alignment of the 20-foot wide approach path east of the bridge from a curved alignment with the path closer to the roadway to a straight alignment with the path further from the roadway. The curved alignment necessitates the construction of an up to six-foot tall retaining wall a few feet from the eastbound vehicle lane. The preferred straight alignment eliminates the need for the tall retaining wall, locates the path further away from the vehicle lane, and provides an opportunity for landscaping and/or aesthetic treatments between the vehicle lane and the path.

Because the plans and environmental studies for the curved alignment had already been submitted to Caltrans, the plans and studies need to be revised and resubmitted. BKF agreed to complete the revisions to the plans within their existing contract scope of work; however, the environmental study revisions are out of scope and therefore, are additional services. Staff negotiated with BKF to minimize the scope and cost of the additional services. BKF's negotiated proposal for the additional environmental consulting services in the amount of \$39,000 is shown in Exhibit C of Attachment 2 of this report. Approval of the proposal would be in the form of a second amendment to BKF's contract (Attachment 2).

CONCLUSION:

The Town Council's authorization of the second amendment to BKF's consultant agreement for the Highway 17 Bicycle/Pedestrian Overcrossing Project design would allow BKF to provide

CONCLUSION (continued):

additional environmental consulting services to obtain environmental approval for the project to include the easterly path alignment revision.

COORDINATION:

This report is coordinated with the Finance Department.

FISCAL IMPACT:

The current project budget, assuming approval of the BKF second amendment, is provided in the table below. The proposed BKF amendment would not increase the overall project budget; the funds would come from the previously approved design contingency budget, decreasing it from \$251,265 to \$212,265. The budget reflects the cost of the feasibility study and project design phases. As shown in the table, there is an estimated \$601,745 surplus from those phases that can be allocated to the construction phase as local match.

Highway 17 Bicycle and Pedestrian Overcrossing Project		
CIP No. 818-0803		
	Budget	Costs
Transportation Development Act Article 3 (TDA) Grant	\$52,995	
Budget Adjustment Recognizing Previously Received Transportation Development Act Article 3 (TDA) Grant Funds (Requested with this Staff Report)	\$34,456	
2016 Measure B	\$2,754,900	
Traffic Impact Mitigation Fund	\$147,005	
GFAR	\$946,210	
GFAR/Development In-Lieu Fee	\$522,314	
Total Budget	\$4,457,880	
BKF Engineers - Feasibility Study		\$234,456
BKF Engineers - Final Design Existing Contract		\$3,000,000
BKF Engineers - First Amendment		\$48,735
BKF Engineers - Second Amendment Requested with this Staff Report		\$39,000
Design Contingency		\$212,265
Independent Structural Review		\$50,000
Caltrans Cooperative Agreement		\$55,691
Part-Time Staff Cost		\$215,988
Total Expenditures		\$3,856,135
Remaining Budget for Construction Phase		\$601,745

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SUBJECT: Highway 17 Bicycle/Pedestrian Overcrossing Project (CIP No. 818-0803)

DATE: June 13, 2024

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is statutorily exempt under Section 21080.25. A Notice of Exemption has been filed.

Attachments:

1. Location Map
2. Second Amendment to Agreement for Consultant Services with BKF Engineers Inc. for the Highway 17 Bicycle and Pedestrian Overcrossing Project #19-818-0803 with Exhibit A (Original Agreement), Exhibit B (First Amendment), and Exhibit C (Proposal for Additional Environmental Services)