



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 2/20/2024

ITEM NO: 9

DATE: February 15, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Approve the Following Action for the Highway 17 Bicycle and Pedestrian Overcrossing (Project No. 818-0803):
a. Authorize the Town Manager to Execute a First Amendment to the Agreement for Consultant Services with BKF Engineers Inc. for Construction Phase Grant Writing Services, increasing the amount by \$48,735 for a Total Agreement Not to Exceed \$3,048,735

RECOMMENDATION:

Approve the following action for the Highway 17 Bicycle and Pedestrian Overcrossing (Project No. 818-0803):

- a. Authorize the Town Manager to execute a first amendment to the agreement for consultant services with BKF Engineers Inc. (BKF) for construction phase grant writing services, increasing the amount by \$48,735 for a total agreement not to exceed \$3,048,735 (Attachment 2).

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 would 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 Director of Parks and Public Works

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 project's feasibility study was completed in 2020 and included several public meetings, pop-up events, and other community engagement activities. Overall, the project received strong support from the community. Based on the feasibility analysis, engineering assessment, and past Council direction, the plan proposes: 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 13, 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 Town General Fund monies as a required local match for the Measure B grant, authorized issuance of an RFP for project design, authorized the Town Manager to sign a consultant agreement in an

BACKGROUND (continued):

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, 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, Town 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.

DISCUSSION:

Since May 2021, the project team has made significant progress on preliminary engineering and environmental review. Staff has continued to engage with project stakeholders for additional input, including the Los Gatos Union School District, Safe Routes to School Program, Complete Streets and Transportation Commission, Arts and Culture Commission, and others.

The design team expects to complete preliminary engineering and obtain environmental clearance in April 2024, after which work on final design will commence. Final design is anticipated to be complete by early 2025 at which time it will be ready for construction bidding if funding is available. The project is fully funded through final design.

The current estimate of the total construction cost is \$25 million. The Town will need to obtain construction funding prior to advertising the project for construction bids. The majority of the funding is anticipated to come from Federal and/or State grant programs. Based on staff's research and recent communication with the California Transportation Commission (CTC), Metropolitan Transportation Commission (MTC), and Valley Transportation Agency (VTA), staff recommends applying for the Active Transportation Program (ATP) and Safe Streets For All (SS4A) grant programs. The ATP and SS4A programs are anticipated to begin accepting applications in March 2024 and February 2024, respectively, with applications due in June or July 2024.

The grant applications are competitive and successful applications typically require numerous exhibits, schematics, photo essays, visual simulations, data analyses, and other documents. Staff requested a proposal from BKF to assist Town staff with the applications. BKF's proposal is provided in Exhibit B of Attachment 2. Staff believes the proposed scope of work and \$48,735 fee are reasonable and will significantly enhance the Town's competitiveness for the grants. As the project design consultant, BKF is ideally suited to provide these services. Staff recommends amending BKF's agreement for the additional services they can commence work on the applications as soon as possible.

DISCUSSION (continued):

The construction grant programs require a minimum local funding match of 20% of the total project cost in order to maximize the Town's competitiveness for the grants. The estimated total project cost is \$29 million (\$4 million for design plus \$25 million for construction), resulting in a required local match of \$5.8 million. The funding sources used for the existing project budget of \$4,457,880 (see fiscal table) qualify as local match; therefore, an additional \$1,342,120 in local match will be needed if the grant applications are successful. Staff will identify potential funding sources for the match through the Capital Improvement Program Budget that will be presented in April 2024. While Town funds may be needed for this match, staff is actively seeking additional Measure B funds which could limit the Town's General Fund contribution to less than the \$1,342,120.

CONCLUSION:

The Town Council's authorization of the first amendment to BKF's consultant agreement for the Highway 17 Bicycle/Pedestrian Overcrossing Project design would allow BKF to provide additional grant writing consulting services to submit construction phase funding grant applications for the ATP and SS4A grant programs on behalf of the Town.

If these applications are successful, additional funds will be required for the local match. Staff is working to identify potential sources for this match.

COORDINATION:

This report is coordinated with the Finance Department.

FISCAL IMPACT:

The current project budget, including approval of the BKF amendment, is provided in the table below. The proposed BKF amendment would not increase the overall project budget; it would come from the previously approved design contingency budget, decreasing it from \$300,000 to \$251,265. 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 part of the local match.

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

DATE: February 15, 2024

FISCAL IMPACT (continued):

Highway 17 Bicycle and Pedestrian Overcrossing Project		
CIP No. 818-0803		
	Budget	Costs
TDA Article 3	\$87,451	
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 Requested with this Staff Report		\$48,735
Design Contingency		\$251,265
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

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. First 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) and Exhibit B (Grant Writing Scope of Services)