

FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This AMENDMENT TO AGREEMENT is dated for identification this 16th day of June 2020 and amends that certain Agreement for Consultant Services dated December 17, 2019, made by and between the Town of Los Gatos, ("Town,") and KIMLEY-HORN AND ASSOCIATES, INC. ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services Agreement on December 17, 2019, ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town desires to amend the Agreement for Consultant Services Agreement to add a scope of services for the Winchester Boulevard Class IV Protected Bikeway Design.
- C. The Consultant represents and affirms that it is willing to perform the desired work pursuant to this Agreement.
- D. Consultant warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Consultant acknowledges Town has relied upon these warranties to retain Consultant.

AMENDMENT

- 2.1 Scope of Services. Consultant shall provide services as described in that certain Proposal dated June 8, 2020, which is hereby incorporated by reference and attached as Exhibit A.
- 2.6 Compensation. Compensation for Consultant's professional services for the additional scope of services **shall not exceed \$139,430.32**, for a **total agreement amount not to exceed \$339,430.32** inclusive of all costs. Payment shall be based upon Town approval of each task.

All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos

Service Provider by:

By: _____

By: _____

Laurel Prevetti, Town Manager

Print Name, Title

Department Approval:

Matt Morley

Director of Parks and Public Works

Approved as to Form:

Attest:

Robert Schultz, Town Attorney

Shelley Neis, MMC, CPMC
Town Clerk

Scope of Services

Winchester Boulevard – “Quick-Build” Class IV Bike Lanes

Project Understanding

The Town of Los Gatos is planning improvements to Winchester Boulevard between Blossom Hill Road and Albright Way, an approximately 1.5 mile long corridor, to implement separated (Class IV) bike lanes. Additional improvements to Winchester Boulevard are planned for future phases, including the construction of sidewalk, landscaped and/or raised medians (for bike lane separation and travel way separation), curb extensions, transit improvements, green street facilities, and extending the proposed separated bike lane and sidewalk improvements from Albright Way to Knowles Drive. Previous phases of the project included concept development for the final build-out conditions, limited traffic analysis, and existing conditions data collection.

The “quick-build” phase discussed in this scope of services includes the development of construction-ready documents for the implementation of Class IV bike lanes using signage, striping, and flexible post bollards (such as K-71s), while minimizing civil construction. The project will be implemented in conjunction with a pavement rehabilitation project by the Town. All design effort related to the pavement rehabilitation project is assumed to be completed as part of a separate effort by the Town and not included in this scope of services. Existing roadway width, curb lines, signals, curb ramps, utilities, and other existing features are anticipated to be protected in place to the extent feasible while meeting the quick-build project’s goals. Additional services that may be necessary to incorporate more significant enhancements to support the Class IV facility, such as curb and modifications at intersections, new or significant modifications to existing landscaping, stormwater treatment, and grading that are not expressly noted in this scope, are considered optional services and not included in the base effort at this time.

Expected Results

This task order will result in final plans, specifications, and opinion of probable construction cost (PS&E) for the Winchester Boulevard – Quick-Build Class IV Bike Lanes project.

Assumptions

The scope of services for the Quick-Build Class IV Bike Lane Design is based on the following assumptions:

Class IV Bicycle Facilities

- Class IV bike lane facilities will be achieved by providing signage, striping, and vertical separation with flexible post bollards.
- Improvements will only be provided within the limits of the existing roadway. There will be no changes to any existing curb alignments or areas behind existing curbs. There will be no pedestrian or intersection improvements, beyond striping. Existing medians will be protected in place with the potential exceptions of the medians/bulb-outs near Daves Avenue and Wimbledon Drive.
- There will be no roadway excavation.
- There will be no utility modifications or relocations.
- There will be no drainage infrastructure modifications.
- It is assumed that prior to signing and striping work, a slurry seal coat will be applied to the roadway by another project.
- All existing bus stops along the corridor will remain as curb-side mixing zones. There will be no bus stop improvements beyond striping.

Intersection Improvements

- Intersection modifications are assumed to consist of signage, striping (such as green conflict paint), and vertical separation such as flexible post bollards. Additional intersection or pedestrian improvements (beyond the previously mentioned median/bulb-out modifications at Daves Avenue and Wimbledon Drive) are included as an optional task.
- Signal modifications are assumed to be minor changes to detection that can be included on the signage and striping plans. Video detection modifications are assumed to be performed by Town staff in the field. Full signal plans are not included in this proposal.
- Existing on-street parking between Blossom Hill Road and Shelburne Way will be removed.

Landscape Improvements

- Landscape improvements are assumed to be limited to the median improvements previously noted. Proposed landscape improvements will match existing conditions as possible, and will comply with the State of California's AB1881 requirements, the 1988 Town of Los Gatos Landscaping Policies, and applicable regional ordinances and regulations.
- It is assumed that all trees within the public right-of-way will be protected in place.
- It is assumed that there will be no disturbance of landscape areas outside the public right-of-way.

General Notes

- It is assumed that environmental clearance has already been completed and the Town has supporting documentation to fully cover the project included in this scope.
- It is assumed that street resurfacing will be completed as a separate project, just prior to the implementation of the proposed Quick-Build Class IV Bikeway. Traffic control plans for the entirety of the street resurfacing and installation of the Class IV Bike Lanes is assumed to be completed as part of street resurfacing project and are not included in this scope of services.

All design work that deviate from the assumptions above will be considered as additional scope and can be done as an amendment to the contract with updates to the contract fee and schedule.

Task 1: Project Management

Task 1.1: Meetings

Kimley-Horn will participate in a kick-off meeting with the Town to finalize project procedures and expectations and refine the project schedule. Additional meetings are included in corresponding project tasks. Kimley-Horn will prepare the meeting agenda and distribute meeting minutes for each meeting. All meetings are assumed to occur remotely, via online video conference calls.

Task 1.2: Bi-Weekly Design Calls

Kimley-Horn will hold approximately bi-weekly conference calls with the Town project manager during the design phase to coordinate on project progress, data collection needs, upcoming meetings, and deliverables. It is anticipated that the design phase of the project will last up to 3 months. The Kimley-Horn team will maintain an online sharing document that will be used to document action items from coordination meetings, to track deliverable progress, and to document key decisions or needed input. To the extent that the Quick Build project overlaps with the overall concept development project, it is assumed that these bi-weekly calls will be combined into a single call.

Task 1.3: Task Order Management

Kimley-Horn will also provide task order management including invoicing, coordination with Town staff, monthly progress reports, and other project management activities for the duration of the task order (up to 3 months).

Task 1 Deliverables:

- *Project Schedule and updates (PDF Format)*
- *Meeting agendas and minutes (PDF Format)*
- *Monthly Status Reports and Invoices (PDF Format)*
- *Online sharing document (Electronic Format)*

Task 2: Preliminary Concept Development

Task 2.1: Concept Confirmation

Kimley-Horn will hold a virtual meeting with the Town to review previously developed cross sections and key intersection layouts. Kimley-Horn will use previously collected aerial survey and existing conditions data to refine intersection concepts at up to 3 intersections.

Task 2.2: 35% Plans

Utilizing the feedback received in Task 2.1, Kimley-Horn will develop 35% design plans for the Class IV Bikeway project between Blossom Hill Road and Albright Way. The design will be developed using Caltrans Standards & Specifications, the Town's standard details for civil design, and VTA guidelines. The Manual of Uniform Traffic Control Devices – California Edition will form

the basis for signing, striping, traffic handling and staging plans. 35% plans will include the base horizontal layout with minimal callouts.

The anticipated plan set will be 24" x 36", and includes the follow sheets:

- Title Sheet (1 Sheet)
- General Notes & References (1 Sheet)
- Legend, Abbreviations, and Sheet Index Table (1 Sheet)
- Key Map (1 Sheet)
- Survey and Horizontal Control (2 Sheets)
- Typical Sections (3 sheets)
- Demolition Plans (1 Sheet)
- Layout Plans (1 Sheet)
- Horizontal and Vertical Control (1 Sheet)
- Construction Details (1 Sheet)
- Signage & Striping Details (1 Sheet)
- Signage & Striping Plans (7 Sheets)
- Landscape Plans (1 Sheet)

Task 2 Deliverables:

- *Refined Conceptual Cross Sections and Intersection Sketches (PDF Format)*
- *One electronic copy of the 35% plans (PDF Format)*

Task 3: 90% Plans, Specifications, and Opinion of Probable Construction Cost (PS&E)

Task 3.1: Response to Comments

After the Town has concluded their review of the 35% Submittal, Kimley-Horn will provide written responses to the Town's single set of consolidated, non-conflicting comments. Kimley-Horn will attend one meeting with the Town to review comments and resolve any outstanding issues.

Task 3.2: 90% Plans

Kimley-Horn will prepare a 90% PS&E package based on the feedback and comments received during previous tasks.

Task 3.3: 90% Opinion of Probable Construction Cost (OPCC)

Kimley-Horn will prepare an OPCC based on the 90% Plans.

Task 3.4: 90% Specifications

Kimley-Horn will prepare standard special provisions/specifications for the 90% submittal. The special provisions shall refer to the 2018 standard specifications for Public Works Construction (Greenbook) as amended by the Town's Standard General Conditions and General Provisions, as necessary.

Task 3 Deliverables:

- *One electronic copy of the 90% plans (PDF Format)*
- *One electronic copy of the 90% OPCC (PDF Format)*
- *One electronic copy of the Technical Specifications (Word Document)*
- *35% Comment Resolution (PDF Format)*

Task 4: 100% PS&E

Task 4.1: Response to Comments

After the Town has concluded their review of the 90% Submittal, Kimley-Horn will provide written responses to the Town's single set of consolidated, non-conflicting comments. Kimley-Horn will attend one meeting with the Town to review comments and resolve any outstanding issues.

Task 4.2: 100% Plans

Kimley-Horn will finalize a 100% plan set based on the feedback and comments.

Task 4.3: 100% OPCC

Kimley-Horn will finalize the 100% OPCC based on direction agreed upon during 90% comment resolution meeting.

Task 4.4: 100% Specifications

Kimley-Horn will finalize the 100% standard special provisions/specification based on direction agreed upon during 90% comment resolution meeting.

Task 4 Deliverables:

- *One signed copy of the full size plans (24"x36" mylar)*
- *One electronic copy of the 100% plans (PDF Format)*
- *One electronic copy of the 100% OPCC (PDF Format)*
- *One signed electronic copy of the Technical Specifications (Word Document)*
- *90% Comment Resolution (PDF Format)*
- *AutoCAD Design Files (2020)*

Additional Services

The following services are specifically not included as part of the final design scope can be performed as additional services:

- Geotechnical Services
- Stage Construction/Traffic Control Plans
- Additional Environmental work not already completed by the Town
- SWPPP
- Water Pollution/Erosion Control Plans
- Replacement of existing monuments (disturbed during construction)
- Title report research
- Coordination with property owners

Optional ServicesTask 5: Intersection Improvements

Task 2.2 will identify the desired intersection treatments at the Lark Avenue intersection. Should the preferred configuration require curb, median, or pork-chop modifications and this optional task is selected by the Town, Kimley-Horn will prepare plans for civil improvements at the Lark Avenue intersection, including 1 of each of the following plan sheets, up to the level of effort identified in the fee spreadsheet: demolition plan, improvement plan, horizontal & vertical control plan, landscape and irrigation plan. The intersection improvements will be included in the 90% and 100% OPCC.

Task 6: Bid Period Services

Kimley-Horn will respond to Requests for Clarification and questions from bidders; prepare contents for addenda to be issued by the Town; assist in evaluating bids as requested by the Town during bid evaluation; revise plans and specifications as required by addenda (assumed up to one for budgeting purposes); and prepare conformed set of drawings (24 x 36") and technical specifications (letter) to be presented at pre-construction meeting. Kimley-Horn will provide these services up to the level of effort identified in the fee spreadsheet. This effort assumes bid period services will continue for up to 3 months.

Task 7: Design Services During Construction (DSDC)

Kimley-Horn will provide design services during construction up to the level of effort identified in the fee spreadsheet. This effort assumes DSDC will continue for up to 4 months.

Winchester Boulevard Quick-Build Class IV Bike Lanes Design - Project Schedule

June 2020

Item Number	Agency	Process	Task	Begin	End	Duration (weeks)
Preliminary Concept Development						
1	KH + Town	Admin	Ammendment Signed	7/1/2020	7/1/2020	0
2	KH + Town	Meeting	Kick-Off Meeting	7/8/2020	7/8/2020	0
3	KH	Design	Concept Confirmation Updates	7/8/2020	7/29/2020	3
4	Town	Review	Review Concepts	7/29/2020	8/5/2020	1
5	KH + Town	Meeting	Confirm Concepts	8/5/2020	8/5/2020	0
6	KH	Design	35% Plans	8/5/2020	8/26/2020	3
7	KH + Town	Outreach	Public Outreach (concurrent with plan development) ¹	8/26/2020	8/26/2020	0
8	Town	Review	Review 35% Plans	8/26/2020	9/9/2020	2
90% PS&E						
9	KH + Town	Meeting	Response to 35% Comments	9/9/2020	9/16/2020	1
10	KH	Design	90% PS&E	9/16/2020	10/14/2020	4
11	Town	Review	Review 90% PS&E	10/14/2020	10/28/2020	2
100% PS&E						
12	KH + Town	Meeting	Response to 90% Comments	10/28/2020	11/4/2020	1
13	KH	Design	100% PS&E	11/4/2020	11/18/2020	2
Total				7/1/2020	11/18/2020	20

Notes:

¹ Timing of public outreach not yet determined. Assumed to occur concurrent with plan preparation.

Winchester Boulevard Quick-Build Class IV Bike Lanes

		Kimley-Horn and Associates, Inc.							Total Hours	Total Cost
Name		A. Dankberg	F. Venter	M. Ulery	N. Willis	M. Zippagan	Sr. Project Support	Project Support		
Category/Title		Project Manager	PIC/QA-QC	Sr. Professional	Engineer/Planner	Analyst				
Direct Rate		\$71.64	\$97.60	\$65.15	\$53.83	\$38.55	\$46.52	\$33.18		
Billing Rate		\$231.85	\$315.87	\$210.85	\$174.21	\$124.76	\$150.56	\$107.38		
Labor										
Task 1	Project Management	18	0	0	12	10	6	4	50	\$ 8,844.47
Task 1.1	Meetings	4			4	2		2	12	\$ 2,088.57
Task 1.2	Bi-Weekly Design Calls	8			8	8			24	\$ 4,246.66
Task 1.3	Task Order Management	6					6	2	14	\$ 2,509.24
Task 2	35% Plans	14	2	6	44	112	0	2	180	\$ 26,996.48
Task 2.1	Concept Confirmation	6			12	22			40	\$ 6,226.49
Task 2.2	35% Plans	8	2	6	32	90		2	140	\$ 20,769.99
Task 3	90% PS&E	24	2	10	90	202	0	2	330	\$ 49,400.97
Task 3.1	Response to Comments	6			6	6			18	\$ 3,185.00
Task 3.2	90% Plans	10	2	10	56	176		2	256	\$ 36,987.86
Task 3.3	90% OPCC	4			16	20			40	\$ 6,210.11
Task 3.4	90% Specifications	4			12				16	\$ 3,018.00
Task 5	100% PS&E	14	0	2	30	42	0	4	92	\$ 14,563.69
Task 4.1	Response to Comments	6			6	6			18	\$ 3,185.00
Task 4.2	100% Plans	4		2	10	30		4	50	\$ 7,263.69
Task 4.3	100% OPCC	2			6	6			14	\$ 2,257.58
Task 4.4	100% Specifications	2			8				10	\$ 1,857.43
Labor Total Hours		70	4	18	176	366	6	12	652	
Subtotal Labor without Optional Tasks		\$ 16,229.85	\$ 1,263.49	\$ 3,795.31	\$ 30,661.82	\$ 45,663.20	\$ 903.34	\$ 1,288.60		\$ 99,805.61
Direct Costs										
	Mileage/Printing									\$ 600.00
Subtotal Labor without Optional Tasks										\$ 600.00
TOTAL BASE		\$ 16,229.85	\$ 1,263.49	\$ 3,795.31	\$ 30,661.82	\$ 45,663.20	\$ 903.34	\$ 1,288.60		\$ 100,405.61
OPTIONAL TASKS										
Task 5	Intersection Improvements	6		6	26	58		2	98	\$ 14,636.83
Task 6	Bid Period Services	8	4		30	20	4	6	72	\$ 12,086.56
Task 7	Design Services During Construction	8	4		30	20	4	8	74	\$ 12,301.32
Optional Labor Total Hours		22	8	6	86	98	8	16	244	
Subtotal Optional Labor		\$ 5,100.81	\$ 2,526.97	\$ 1,265.10	\$ 14,982.48	\$ 12,226.76	\$ 1,204.45	\$ 1,718.13		\$ 39,024.71
TOTAL BASE + OPTIONAL		\$ 21,330.66	\$ 3,790.46	\$ 5,060.42	\$ 45,644.30	\$ 57,889.96	\$ 2,107.80	\$ 3,006.74		\$ 139,430.32