



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow

SUBJECT: SEE BELOW

DATE: October 5, 2020

Approved

Date

10/16/2020

COUNCIL DISTRICT: 2

SUBJECT: SECOND AMENDMENT TO CONSULTANT AGREEMENT WITH HMH ENGINEERS FOR THE US 101/BLOSSOM HILL ROAD INTERCHANGE IMPROVEMENT PROJECT

RECOMMENDATION

Adopt a resolution authorizing the City Manager or designee to negotiate and execute the Second Amendment to the consultant agreement between the City and HMH Engineers for the US 101/Blossom Hill Road Interchange Improvement project to expand the scope of services related to Design Services During Construction, increase the maximum total amount of compensation by \$428,800 from \$5,363,700 to \$5,792,500, and extend the term of the agreement from December 31, 2021 to July 31, 2023.

OUTCOME

The proposed amendment will support completion of construction of the US 101/Blossom Hill Road Interchange Improvements in accordance with the Edenvale Area Development Policy.

BACKGROUND

In June 2000, the City adopted the Edenvale Area Development Policy to facilitate industrial development in the Edenvale area in south San José. In 2007 and 2014, the Policy was updated to expand the geographic area, address traffic congestion, and improve connectivity for bicyclists and pedestrians between transit facilities on the west side of US 101 and Coyote Creek Trail on the east side of US 101. As one of the projects listed in the policy, the US 101/Blossom Hill Road Interchange Improvement project modifies and improves the safety, operations, and multi-modal characteristics of the existing interchange. The project will:

- Widen the existing interchange to provide for one additional lane along Blossom Hill Rd in each direction
- Widen the southbound and northbound off-ramps to accommodate additional turning lanes and modify the traffic signals at each intersection
- Construct a Class I bicycle/pedestrian path along the north side of Blossom Hill Rd through the interchange between Monterey Rd and Coyote Rd

Because the US 101/Blossom Hill Road Interchange Improvement project is within Caltrans right-of-way, the City collaborated with Caltrans to develop and complete the environmental and design phases for the project following the Caltrans Project Development Procedures Manual.

In December 2015, City Council approved an agreement with HMH Engineers (HMH) to provide engineering consultant services for Phase 1 of the planning and design for the project in the amount of \$1,585,100 and for a term through June 30, 2018. Phase 1 of the HMH agreement followed Caltrans project development requirements and included planning, analysis, technical reports and document preparation necessary for a Caltrans Project Initiation Document (PID), Project Approval and Environmental Document (PA&ED), public outreach, and preliminary engineering (30% Plans, Specifications, and Cost Estimates - PS&E).

In May 2018, City Council approved an amendment to the agreement with HMH Engineers to provide consultant services related to Phase 2 of the project. Phase 2 provided for the development of final construction documents, including 60%, 90%, and bid ready PS&E, right-of-way engineering, assistance with the bid and award process, and providing engineering support during construction. The final construction documents involved performing surveys, providing utility coordination, preparing geotechnical and design reports, developing plans, specifications, and construction cost estimates. Phase 2 services also included the provision of Design Services During Construction (DSDC) for the project such as providing responses to questions and/or clarifications to the plans and specifications during construction. The first amendment increased compensation from \$1,585,100 to \$5,363,700 for the project, and extended the term of the agreement to December 31, 2021.

On December 18, 2019, City Council approved a Cooperative Agreement between the City and the Valley Transportation Authority (VTA), which secured 2016 Measure B funds for the construction phase, and allowed VTA to be the Implementing Agency and administer the funds to finance the construction phase of the project.

As described in the following section, a Second Amendment to the agreement is needed to ensure that adequate funds are available for services provided by HMH during the construction phase of the US 101/Blossom Hill Rd Interchange Improvement project.

ANALYSIS

Phase 1 of the project was completed with the February 2018 approval of the Environmental Document, a Categorical Exemption/Categorical Exclusion under the California Environmental Quality Act/National Environmental Policy Act, and the final project approval from Caltrans in May 2018. Phase 2 of the project included the approval of the final design submittals in PS&E and right-of-way certification in March, 2020. On June 19, 2020, VTA Board awarded the construction contract to O.C. Jones & Sons, Inc. and moved the project from the design to the construction phase. On July 15, 2020, Caltrans approved the encroachment permit for the project to start construction.

During the development of the final design submittals in PS&E, design changes were made to implement improvements to the original scope and address comments from Caltrans, VTA, and the City. The design changes include:

- Adding a Class I bike/pedestrian path along Monterey Rd to connect people travelling from the Xander's Crossing Pedestrian Overcrossing to the new Blossom Hill Rd bike/pedestrian path
- Upgrading curb ramps and adding accessible push buttons at the Monterey Rd/Blossom Hill Rd (North) intersection
- Implementing an auxiliary lane at the southbound loop intersection on-ramp.

To provide for the additional services associated with the design changes, available funds in the agreement were reallocated from the DSDC task, as permitted in the agreement provisions. With design completed and construction beginning, a Second Amendment to the agreement is needed to ensure that adequate funds are available for services provided by HMM during the construction phase. The scope of services for the DSDC remains the same as described in the First Amendment with one additional task, providing field survey services during construction. The Second Amendment will increase the compensation by \$428,800 from \$5,363,700 to an amount not to exceed \$5,792,500.

In addition, the term of the proposed Second Amendment extends the agreement through July 31, 2023 to provide for any unforeseen delays that may occur during construction. The City will also have the option to extend the term for an additional six months at no additional cost.

CONCLUSION

City Council's execution of the amendment to the agreement with HMM Engineers will provide for the anticipated engineering services needed during the construction of the US 101/Blossom Hill Road Interchange Improvement project.

EVALUATION AND FOLLOW-UP

The status of the US 101/Blossom Hill Road Interchange Improvement project will be reported periodically through the Transportation and Environmental Committee as part of the quarterly Regional Transportation Activities Reports.

CLIMATE SMART SAN JOSE

The recommendation in this memo aligns with one or more Climate Smart San José energy, water, or mobility goals. The construction of the Class I Bike/Pedestrian path will facilitate the choice of mobility choices other than single-occupancy vehicles.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the October 27, 2020 City Council Agenda.

COORDINATION

This memorandum and agreement has been coordinated with the Department of Planning, Building and Code Enforcement, the City Manager's Budget Office, and the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

FISCAL/POLICY ALIGNMENT

The project is consistent with multiple City policy documents including the Envision 2040 General Plan and the Edenvale Area Development Policy.

COST SUMMARY/IMPLICATIONS

1. Amount of Recommendation: \$428,800
2. Cost Elements of Agreement (as amended):

Agreement	Task	Task Total
Original Contract	Preliminary Engineering and Environmental	\$1,585,100
1 st Amendment	PS&E and Design Services during Construction	\$3,778,600
2 nd Amendment	Design Services during Construction	<u>\$428,800</u>
	TOTAL AGREEMENT CONTRACT AMOUNT	\$5,792,500

3. Source of Funding: 429 - Building and Structure Construction Tax Fund
4. Fiscal Impact: The recommended action is consistent with the City’s economic development strategy to promote development in the Edenvale Area. Approval of the recommendation will have no significant adverse impact on the General Fund.

BUDGET REFERENCE

The following table identifies the fund and appropriation proposed to fund the recommended increase in the project as part of this memorandum:

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2020-2021 Proposed Budget Page	Last Budget Action (Date, Ord. No.)
429	7691	Route 101/Blossom Hill Road Interchange	\$6,300,000	\$428,800	V-432	6/23/2020 Ord. No. 30437

*The 2020-2021 Capital Budget was reviewed and approved by City Council on June 16, 2020 and adopted on June 23, 2020.

HONORABLE MAYOR AND CITY COUNCIL

October 5, 2020

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CEQA

Categorically Exempt, File No. ER19-077, CEQA Guideline Section 15301 Existing Facilities.

/s/

JOHN RISTOW
Director of Transportation

For questions, please contact Zahir Gulzadah, DOT Division Manager of Regional and Local Project Delivery Section at (408) 975-3257.