



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow

SUBJECT: See Below

DATE: March 3, 2025

Approved

Date:

3/12/25

COUNCIL DISTRICT: 6

SUBJECT: Second Amendment to the Consultant Agreement with DKS Associates for the Bascom Avenue Highway-Rail Traffic Signal Project

RECOMMENDATION

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the second amendment to the consultant agreement with DKS Associates for the Bascom Avenue Highway-Rail Traffic Signal Project to increase the maximum compensation by \$75,635, from \$339,446 to \$415,081, complete additional scope of services, and extend the term of the agreement from December 31, 2025 to December 31, 2026.

SUMMARY AND OUTCOME

This amendment will enable DKS Associates to complete the engineering design plans for a new traffic signal at the Bascom Avenue Highway-Rail Crossing on the Vasona Rail Corridor.

BACKGROUND

The Vasona Rail Corridor crosses Bascom Avenue at grade just north of the Bascom Avenue / Southwest Expressway intersection. This crossing has a high volume of trains (132 Santa Clara Valley Transportation Authority light rail trains daily and two Union Pacific Railroad trains weekly) and vehicles crossing the tracks daily with potential for vehicles to queue from nearby intersections onto the tracks. Installing a traffic signal

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control at the rail crossing was identified as a way to mitigate the risk of collisions between trains and vehicles.

In December 2021, a request for proposals was issued to find a qualified consultant engineering firm to prepare design concepts, technical analysis, plans, specifications, and estimates, and provide construction support for the Bascom Ave Highway-Rail Crossing Traffic Signal Project (Project). DKS Associates was selected, and the standard consultant agreement was executed on June 23, 2022.

The first amendment to the consultant agreement was executed on April 25, 2024 to extend the contract term from September 30, 2024 to December 31, 2025. The extension was necessary to accommodate longer design and review times to address comments from external agencies.

ANALYSIS

DKS Associates completed the technical analysis, and the engineering design plans to the 95% design level in close coordination with the diagnostic team that included stakeholders from the Santa Clara Valley Transportation Authority (rail owner), Union Pacific Railroad (rail tenant), Federal Railroad Administration (Vasona Quiet Zone oversight and Project grantor for construction), and California Public Utilities Commission (state agency oversight for rail crossings). The California Public Utilities Commission raised new concerns with the 95% design plan that need to be addressed through redesign work that exceeds the original scope of the contract.

Approval of the second amendment will allocate funding to redesign a part of the plan to address comments made by the California Public Utilities Commission.

EVALUATION AND FOLLOW-UP

Upon design completion, staff will return to City Council to award the construction contract.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$75,635
Original Contract Amount = \$339,446
Total Contract Amount = \$415,081
2. SOURCE OF FUNDING: Fund 429 – Building and Structure Construction Tax Fund.

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3. **FISCAL IMPACT:** There are no anticipated ongoing operating and maintenance costs associated with this recommendation.

BUDGET REFERENCE

The table below identifies the fund and appropriation to fund the contract recommended as part of this memorandum.

Fund #	Appn. #	Appropriation Name	Total Appropriation	Amount for Contract	2025-2029 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
429	416E	Quiet Zone	\$10,162,000	\$415,081	949	10/22/2024 Ord. No 31130

COORDINATION

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

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the March 25, 2025 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-002, Consultant Services for design, study, inspection, or other professional services with no commitment to future action.

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PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

John Ristow

Director, Department of Transportation

For questions, please contact Jessica Zenk, Deputy Director of Planning and Project Delivery Section at (408) 535-3543.