



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow

SUBJECT: SEE BELOW

DATE: August 22, 2022

Approved

Date

8/30/2022

COUNCIL DISTRICT: 2

**SUBJECT: 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 Third Amendment to the consultant agreement between the City of San José (City) and HMH Engineers (HMH) for the US 101/Blossom Hill Road Interchange Improvement Project (Project). This amendment is to increase the total compensation amount by \$96,000 from \$5,792,500 to \$5,888,500 and extend the agreement term from July 31, 2023 to December 31, 2025.

OUTCOME

The proposed Third Amendment will support the 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 (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 the Coyote Creek Trail on the east side of US 101. As one of the projects listed in the policy, the 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 Road 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 Road through the interchange between Monterey Road and Coyote Road

Because the 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 HMM to provide engineering consulting services for the planning and environmental clearance for the Project in the amount of \$1,585,100 and for a term through June 30, 2018. In May 2018, City Council approved an amendment to the agreement with HMM to provide consulting services related to the design and construction of the Project. 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 Santa Clara 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. In October 2020, City Council approved the Second Amendment to the agreement with HMM to expand the scope of services related to design services during the construction phase of the Project. The Second Amendment increased the compensation from \$5,363,700 to \$5,792,500 for the Project and extended the term of the agreement to July 31, 2023.

A Third Amendment to the agreement is needed to ensure that adequate funds are available for the services provided by HMM to complete the construction phase of the Project and additional plant establishment period work, which lasts for three years after construction for the whole project. The objective of the establishment period is to ensure that plants are healthy and established and that the irrigation system works as planned. The plant establishment work includes one year of maintenance care for City-maintained plants and three years of maintenance care for Caltrans-maintained plants.

HMM would continue to provide consulting services for coordination and design submittal revision during the remaining construction phase and preparation for the plant establishment period. During the plant establishment period, HMM would answer questions regarding plant establishment, perform periodic field reviews of plant health, and recommend water scheduling based off their designs.

ANALYSIS

On June 19, 2020, the VTA Board of Directors awarded the construction contract to O.C. Jones & Sons, Inc. and moved the Project from the design to the construction phase. The Project began construction in September 2020 and major milestones have been completed including:

- Pedestrian/bicyclist undercrossing structure below the US 101 Southbound off-ramp and on-ramp
- Pedestrian/bicyclist overcrossing structure over the US 101 Northbound on-ramp
- Pedestrian/bike path along Monterey Road
- Blossom Hill Road overcrossing deck
- Utilities on overcrossing sidewalk and through Pedestrian/Bike Path
- Soil nail wall between westbound Blossom Hill Road and US 101 northbound on-ramp
- Installation of No Turn on Red light emitting diode signs at Blossom Hill Road and Coyote Road

The remaining construction work to be completed includes:

- The visual screen panels on the bike path
- Signal activation of the Monterey Road and Blossom Hill Road North intersection
- Paving and striping of the vehicular roadways throughout the project area
- Landscaping and irrigation on both City and State right-of-way
- City and Caltrans' inspection punch list

The construction is proceeding per schedule with expected completion by fall 2022.

To provide for the additional services associated with the design changes during construction, available funds in the agreement were reallocated as permitted in the agreement provisions. The main design changes included working with the City's Department of Parks, Recreation, and Neighborhood Services to improve the existing trail extension between the Coyote Road entrance to the Odette Morrow Trail from gravel to asphalt concrete and performing other miscellaneous field design changes that were not originally anticipated.

With construction near completion, a Third Amendment to the agreement is needed to ensure adequate funds are available for the remaining services provided by HMM during the construction phase. In addition to the remaining services, the City is requesting HMM provide support services during the three-year plant establishment period. The Third Amendment will increase the compensation by \$96,000 from \$5,792,500 to an amount not to exceed \$5,888,500 and extend the agreement through December 31, 2025 to provide for any unforeseen items that may occur during the extended period such as landscaping and/or irrigation deficiencies.

CONCLUSION

The City Council's execution of the Third Amendment to the agreement with HMH will provide for the anticipated remaining engineering services needed during construction and plant establishment work after the construction of the 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 Regional Transportation Activities Reports.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum 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 mobility choices other than single-occupancy vehicles.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the September 13, 2022 City Council meeting.

COORDINATION

This memorandum and agreement have been coordinated with the Department of Planning, Building and Code Enforcement; Parks, Recreation, and Neighborhood Services; 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: \$96,000

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 & Design Services during Construction (DSDC)	\$3,778,600
2 nd Amendment	Additional scope of DSDC	\$428,800
3 rd Amendment	Remaining scope of DSDC and plant establishment work	\$96,000
TOTAL AGREEMENT CONTRACT AMOUNT		\$5,888,500
Prior Year Expenditures/Encumbrances		\$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	2022-2023 Proposed Budget Page*	Last Budget Action (Date, Ord. No.)
429	7691	Route 101/Blossom Hill Road Interchange	\$400,000	\$96,000	V-739	6/21/2022 Ord. No. 30790

*The 2022-2023 Capital Budget was adopted by City Council on June 21, 2022.

HONORABLE MAYOR AND CITY COUNCIL

August 22, 2022

Subject: Amendment to the Agreement with HMM Engineers for the 101/Blossom Hill Road Interchange Project

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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.