



COUNCIL AGENDA: 3/6/18
FILE: 18-258
ITEM: 6.2

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jim Ortbal

SUBJECT: SEE BELOW

DATE: February 12, 2018

Approved

D. D. S. L.

Date

2/22/18

COUNCIL DISTRICT: 3

SUBJECT: REPORT ON REQUEST FOR PROPOSAL FOR ENGINEERING SERVICES FOR THE SANTA CLARA STREET BRIDGE AT COYOTE CREEK REPLACEMENT PROJECT

RECOMMENDATION

Accept the report on the Request for Proposal ("RFP") for engineering services for the Santa Clara Street Bridge at Coyote Creek Replacement Project, and adopt a resolution authorizing the City Manager to negotiate and execute an Agreement with TY Lin International for engineering services related to the preparation of scoping, environmental documents, plans, specifications and estimates, right of way services, and design support during construction on or about March 19, 2018 and ending on or about March 19, 2021, with a maximum compensation not-to-exceed \$1,295,098 for the initial three-year term, with three 1-year options to extend. Subject to funding availability, the term of the agreement may be extended to provide project completion.

OUTCOME

Enter into a contract to provide engineering services related to the preparation of scoping, environmental documents, plans, specifications and estimates, right of way services, and design and construction management support for the widening and replacement of the Santa Clara Bridge at Coyote Creek Project.

BACKGROUND

Santa Clara Street has been identified as one of the seven Grand Boulevards established by the Envision San José 2040 General and is a major arterial and gateway to Downtown San José. It is considered one of the main connections between east San José and the city's downtown core and is a relatively high public transit usage corridor, including the Bus Rapid Transit (BRT) line and the future alignment for Bay Area Rapid Transit (BART). The Santa Clara Street bridge is located on Santa Clara Street between 17th and 19th Streets, spanning Coyote Creek carrying

more than 17,000 vehicles per day. The existing bridge is 43 feet wide by 150 feet long and the roadway narrows at the bridge to only two lanes of traffic in each direction with no shoulder or bike lanes.

In 2007, City staff hired a design consultant to analyze the structural integrity of the bridge and based on their assessment, the bridge is considered 'functionally obsolete'. This means that although the bridge is not currently considered to have significant structural deficiencies, the bridge is expected to deteriorate due to age, the seismic strength does not meet current standards, and the roadway width is narrow and does not have shoulders or bike lanes.

In 2009 the City of San José, Department of Transportation applied for funding from the Highway Bridge Replacement and Rehabilitation Program (HBRRP). The HBRRP is a safety program funded by the Federal Highway Administration (FHWA) that provides federal-aid to local agencies to replace and rehabilitate deficient locally owned public highway bridges. The City was initially awarded \$50,000, inclusive of a local match, to initiate preliminary engineering tasks such as feasibility assessment. On September 2, 2009, the Federal Highway Administration (FHWA) approved the City's Request for Authorizing to Proceed for Preliminary Engineering (E-76), which is required under federally funded grant projects for the City to begin any reimbursable work on the project.

Due to the economic downturn and budget constraints, staffing resources were allocated to other priorities. City staff placed the project on hold and did not revisit it until 2015. In 2016, City staff requested additional funds from Caltrans to procure a consultant to carry out the design work, including environmental clearance and permitting. The City was granted \$835,000, inclusive of a local match. The \$835,000 is roughly 25% of the estimated construction cost, which is the maximum amount that could be requested for the design phase. Currently, Caltrans has programmed an additional \$4,424,000 for construction, contingency, and construction management for this project in the Federal Transportation Improvement Program (FTIP). City staff will need to obligate the money by submitting a Request for Authorization package to Caltrans once the design is complete and will need to take a budget action for the local match and recognize the revenue. The construction cost will be re-evaluated by the consultant during design. Additional funds may be requested from Caltrans if there is an increase in the estimated construction amount or if there are difficult environmental, seismic, hydraulic/scour issues, complex project management issues, or other technical bridge problems.

Federal law establishes a ten-year rule to help ensure the timely use of funds. Since the E-76 was approved on September 2, 2009, Right-of-Way (R/W) acquisition (if any) or construction must commence by October 1, 2019 or funds may need to be returned to the State and FHWA. The proposed strategy to meet the deadline is to finalize the design and request for authorization for Right of Way or Construction by June 2019. Additionally, to minimize the risk of returning the funds, City staff and the consultant will simultaneously work with Caltrans to file for an extension during the design phase.

ANALYSIS

On January 11, 2017, City staff issued a RFP seeking a bridge design consultant to provide engineering services for the replacement of the Santa Clara Bridge over Coyote Creek. The City received only two proposals. In accordance with the federal procedures, a minimum of three proposals must be received and evaluated. If only two proposals are received, a justification must be documented to proceed with the procurement. Staff contacted a number of consultants and were given several reasons as to why they did not submit their proposal, including their inability to take on new projects. City staff reviewed and revised the RFP to attract more consultants and released the RFP for a second time on March 7, 2017. Prior to releasing the RFP, City Staff conducted a pre-bid meeting with interested firms to address questions on the project. Again, only two proposals were submitted. City staff documented the effort of re-bidding the project and the documentation process enables us to proceed with the selection of the consultant.

Proposal Evaluation Team: A technical evaluation panel was established to review and score the proposals, consisting of staff from the Departments of Transportation and Public Works, Santa Clara Valley Water District, and the Valley Transportation Authority. Each team member independently evaluated and scored the proposals. Due to the scores being relatively close, City staff invited both consultants for interviews.

An interview board consisting of most of the same technical evaluation panel staff interviewed the two firms. Firms were rated based on their project team's qualifications, understanding the project challenges and constraints, and experience and expertise in successfully managing similar projects. The criteria used to evaluate the oral presentation are as follows:

<u>Description</u>	<u>Weight (%)</u>
Technical Evaluation Criteria:	
Qualifications: Cover Letter	20
Experience: Past and Current Projects, Résumés, Organizational Chart	40
Approach: Scope of Work and Schedule	40

TOTAL 100

As part of the federal grant guidelines, cost proposals cannot be included in the rating criteria and can only be requested after the selection of the top consultants. Negotiations can only occur with the top consultant. Should negotiations fail, negotiations must be formally terminated and the local agency must then undertake negotiations with the second most qualified consultant. At the completion of the interview process, Biggs Cardosa Associates received the highest rating.

However, City staff and Biggs Cardosa Associates were unable to come to an agreement on the contract price for design services. City staff formally terminated negotiations with Biggs Cardosa and proceeded with the next qualified consultant, TY Lin International. TY Lin International's cost proposal was determined to be fair and reasonable and within the project budget. No objections or protests were filed in the selection process.

Preferences: Although the City has a policy regarding the application of preferences on Local Business Enterprise (LBE) and Small Business Enterprise (SBE), the San Jose Municipal Code allows for the exception in grant programs per 4.12.330 where there are legal constraints on the expenditure of funds. Per 49 CFR 26 Section 172.7 (a)(1)(iii)(D), a local presence may be used as a nominal evaluation factor where appropriate only if the criteria are not based on political or jurisdictional boundaries. The City's Local Business Enterprise and Small Business Enterprise do not meet these federal criteria. Therefore, City staff excluded the application of LBE and SBE from this procurement.

Disadvantaged Business Enterprise: In accordance with Federal Regulations, 49 CFR Part 26, a Disadvantaged Business Enterprise (DBE) participation goal of 14% was established for this Request for Proposal. TY Lin International submitted a 18% DBE participation which exceeds the minimum requirement.

Award Recommendation: Staff recommends to award the contract to TY Lin International. The implementation of the project will include the preparation of scoping, environmental documents, public outreach, right-of-way services (if necessary) and final design Plans, Specifications, and Cost Estimates (PS&E), bid and award, engineering support during construction, and close-out of the project. The proposed agreement for the Phase 2 work is for an amount not to exceed \$1,295,098. Caltrans currently has an additional \$4,424,000 programmed for construction of this project. City staff will need to request the funds once the design is complete, and will need to take a budget action for the local match and to recognize the revenue.

The initial term of the agreement is for three years with options to extend the agreement through project completion.

EVALUATION AND FOLLOW-UP

No additional follow up action is expected at this time.

PUBLIC OUTREACH

To solicit firms, this project was listed on Bidsync. This memorandum will be posted to the City's website for the March 6, 2018 Council agenda.

COORDINATION

This project and memorandum have 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 also aligns with the Transportation and Aviation Services CSA outcomes to provide viable transportation choices that promote a strong economy and to provide a transportation system that enhances community livability.

COST IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$1,295,098
2. SOURCE OF FUNDING: 429 - Building & Structure Construction Tax Fund
3. FISCAL IMPACT: There is sufficient budget in the East Santa Clara Street Bridge at Coyote Creek appropriation to fund the contractual service costs. However, to fully fund the project, subsequent budget adjustments will be brought forward for council consideration as part of the regular budget process to increase the appropriation for in-house staff support. Cost savings from other projects will be identified to offset the additional funding for staff support.

BUDGET REFERENCE

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

Fund #	Appn #	Appn. Name	Total Appn	Amount For Contract	2017-2018 Adopted Capital Budget*	Last Budget Action (Date, Ord. No.)
465	7133	East Santa Clara Street Bridge at Coyote Creek	\$1,306,000	\$1,295,098	952	10/17/2017, 30014

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CEQA

Statutory Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies.

/s/
JIM ORTBAL
Director of Transportation

For questions please contact Lam Cruz, Senior Engineer, Department of Transportation, at 408-794-1962.