


**CITY COUNCIL ACTION REQUEST**

<b>Department(s):</b> Transportation	<b>CEQA:</b> Not A Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action.	<b>Coordination:</b> City Attorney's Office, City Manager's Budget Office, and Department of Planning, Building and Code Enforcement	<b>Dept. Approval:</b> /s/ John Ristow
<b>Council District(s):</b> Citywide			<b>CMO Approval:</b>  3/25/2021

**SUBJECT: AMENDMENT TO CONSULTANT AGREEMENT WITH TOOLE DESIGN GROUP, LLC, FOR CITYWIDE BIKE PLAN UPDATE**

**RECOMMENDATION:**

Retroactively approve the First Amendment to the Consultant Agreement with Toole Design Group, LLC, to revise the Outreach & Community Engagement and Bike Facility Recommendations task completion times; revise the compensation amounts for various tasks; extend the contract from June 30, 2020 to March 31, 2021; and increase the maximum total compensation from \$675,000 to \$731,000.

**BASIS FOR RECOMMENDATION:**

In June 2018, the City Council authorized the City Manager to negotiate and execute a consulting services agreement with Toole Design Group, LLC, to assist the City with development of *San Jose Bike Plan 2025*. The new citywide bike plan would replace *Bike Plan 2020*, which was originally adopted by the City Council in 2009. City Council adopted the *Better Bike Plan 2025* at its October 6, 2020 meeting.

The agreement with Toole Design Group provided for a variety of development and outreach services. To provide for more robust bike facility recommendations, expand upon successful Community Business Organization (CBO) partner community engagement, and address challenges posed during the COVID-19 pandemic, including the transition of all outreach efforts to a virtual format during the event, Toole Design Group provided significantly more services than were originally contemplated when the original agreement was executed. Additionally, Toole Design Group provided services after Council approved *Better Bike Plan 2025* to incorporate feedback received during the council meeting. Due in part to COVID-19 and delays in community engagement and bringing the final Plan to City Council, some of this work was requested and completed after the original contract expiration date and above the maximum compensation originally identified. To compensate Toole Design Group for the additional services they provided, the agreement needs to be retroactively amended. The proposed amendment includes the following retroactive changes to the contract:

Extension to Contract: Extension of the Contract End Date from June 30, 2020 to March 31, 2021.

Revise Total Maximum Compensation from \$675,000 to \$731,000.

Revisions to Completion Time:

- Task 3 Outreach and Community Engagement: Revise Subsection C Completion Time to be from "on or before March 31, 2020" to "on or before December 31, 2020" due to increased engagement efforts as described above.

- Task 5 Bike Facility Recommendations: Revise Subsection C Completion Time to be from “on or before March 31, 2019” to “on or before December 31, 2020” due to increased efforts to develop bikeway facility recommendations and respond to feedback received from Council, as described above.

**Revisions to Contract Budget Amount:**

- Task 1.2 Ongoing Contract Management: Decrease by \$2,636, from \$31,940 to \$29,304
- Task 3.2 CBO Engagement: Increase by \$10,000, from \$11,180 to \$21,180
- Task 3.2 Public Workshops (3): Increase by \$4,342, from \$28,680 to \$33,022
- Task 3.3 Project Presentations (10): Increase by \$10,000, from \$22,970 to \$32,970
- Task 3.6 Online Outreach & Survey: Increase by \$10,000, from \$24,460 to \$34,460
- Task 4.3 Policy Recommendations Memo: Decrease by \$3,538, from \$6,070 to \$2,532
- Task 5.3 Identification of Facility Type: Increase by \$33,760, from \$15,170 to \$48,930
- Task 6.2 Program Recommendations Memo: Decrease by \$3,239, from \$13,140 to \$9,901
- Task 7.3 Implementation Schedule: Increase by \$2,677, from \$16,020 to \$18,697
- Task 8.2 Response to Comments: Increase by \$1,067, from \$11,090 to \$12,157
- Task 9.3 Final Plan: Increase by \$7,735.27, from \$11,690 to \$12,757
- Translation Services: Decrease by \$16,432, from \$20,000 to \$3,568
- CBO Stipends: Increase by \$2,268, from \$34,000 to \$36,268
- Total Budget: Increase total by \$56,004.27, from \$674,965 to \$730,696.27

Climate Smart San Jose: The recommendation in this memo aligns with one or more Climate Smart San Jose energy, water, or mobility goals.

Commission Recommendation/Input: No commission recommendation or input is associated with this action.

**COST AND FUNDING SOURCE:**

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2021-2026 Adopted Capital Improvement Budget Page	Last Budget Action (Date, Ord. No.)
465	417H	Better Bikeways Program (City)	\$1,217,000	\$56,004.27	V-621	10/20/2020 Ord. No. 30494

**FOR QUESTIONS CONTACT:** John Brazil, Associate Transportation Specialist, (408) 975-3206.