COUNCIL AGENDA: 09-26-06
ITEM: 2.3

REPLACEMENT

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: James R. Helmer

SUBJECT: **MARTIN AVENUE COOPERATION AGREEMENT**

DATE: 09-21-06

Approved Debra Fischer Date 9/21/06

COUNCIL DISTRICT: 3

REASON FOR REPLACEMENT

Original memo was placed on the August 29, 2006 agenda and was deferred to September 26, 2006. Memo was deferred to refine approval and contingency amounts.

RECOMMENDATION

Approval of a cooperation agreement between the City of San José and the City of Santa Clara to perform street pavement maintenance on Martin Avenue from Brokaw Road to De La Cruz Boulevard in an amount not to exceed $423,711. This includes construction cost in the amount of $355,788, project administration and management in the amount of $32,344, and a ten percent (10%) contingency in the amount of $35,579.

OUTCOME

The recommended actions support the Transportation and Aviation Services City Service Area goal to *Preserve and Improve Transportation Assets and Facilities*. This agreement will also help maintain and preserve the City of San José's pavement network by resurfacing approximately 0.6 miles of street within the City of San José.

BACKGROUND

In early June 2006, street maintenance staff from the City of Santa Clara approached street maintenance staff from the City of San José and proposed a joint jurisdiction maintenance effort for a 1.2 mile street segment along Martin Avenue, between Brokaw Road and De La Cruz Boulevard. The maintenance responsibility for this 1.2 mile street segment is shared between the City of San José and the City of Santa Clara. The City of San José maintains the northbound direction and the southbound direction is maintained by the City of Santa Clara. The City of

Santa Clara has scheduled maintenance on their portion of Martin Avenue, approximately 0.6 miles of street, and has requested the City of San José's participation in a joint maintenance effort to address maintenance needs on the remaining 0.6 miles of street.

ANALYSIS

The entire 1.2 mile street segment along Martin Avenue is in poor condition and the City of San José's portion is currently among the 400 miles of City of San José streets on the resurfacing backlog list. There is no current schedule to resurface Martin Avenue, but since the City of Santa Clara is programmed to resurface their portion of Martin Avenue, it is in the City of San José's best interest to work cooperatively in a joint project.

A cooperation agreement between the City of San José and the City of Santa Clara has been prepared describing the terms and conditions for implementing the shared street maintenance project. The purpose of the project is to improve the structure and ride quality of the street, and to extend the street's useful life in order to defer more costly reconstruction costs. The benefits of performing a single joint project include reduced costs to each agency, reduced construction impacts, synchronized preventive maintenance cycles, and improved overall street rideability and appearance.

Under the proposed cooperation agreement, the City of Santa Clara will be the lead agency and responsible for preparing plans and specifications, administering the construction contract, performing public relations, coordinating with various agencies, preparing all necessary environmental documents, obtaining all necessary permits, and providing lead inspection services to oversee the construction. Although the City of Santa Clara will be the lead agency, staff from the City of San José will review final specifications and contract documents and outreach plans and efforts, and the City of San Jose will provide some inspection and administration services to insure that the City of San José's interests and standards are properly represented. The scope of the project includes pavement repairs, pavement overlay, traffic control, replacement of all traffic striping and signal detector loops, and adjustments to utility manholes, as necessary.

The City of San José's share in the total cost of the project is estimated to be no more than $423,711. This amount is based on the cost of specific work to be performed in the City of San José's jurisdiction, plus a ten percent (10%) contingency and engineering and inspection costs associated with engineering and inspection performed by both the City of San José staff and the City of Santa Clara's staff for the City of San José's portion of the project. The City of Santa Clara will bill the City of San José for the total cost at the completion of the project. Per the cooperative agreement recommended for approval in this memorandum, the City of San José shall have the right to inspect and determine the acceptability of the work performed within its jurisdiction prior to final construction acceptance by the City of Santa Clara.

POLICY ALTERNATIVES

Alternative # 1: The City of San José does not participate in the joint resurfacing project on Martin Avenue, allowing the City of Santa Clara to resurface only their portion of Martin Avenue.

Pros: The City of San José would not expend the allocated funds for resurfacing and could utilize these funds to perform other maintenance activities on other streets within the City of San José.

Cons: Martin Avenue would continue to deteriorate and would likely need more costly reconstruction in the future. The total time of construction impacts to the public would double if the two sides of Martin Avenue were resurfaced at different times. Martin Avenue would also have non-synchronized maintenance cycles. Further, having only ½ of the street resurfaced would lessen the life of the new pavement section and ultimately be aesthetically unpleasing

Reason for not recommending: Considering the overall drawbacks of not participating in the joint resurfacing project, staff does not recommend this alternative

PUBLIC OUTREACH/INTEREST

- ☐ **Criteria 1:** Requires Council action on the use of public funds equal to $1 million or greater.
  (Required: Website Posting)
- ☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This project does not meet any of the above three criteria and therefore not considered "Significant Public Interest". The project will go through the City of Santa Clara's bid and award process. When the project commences, the contractor, as stated in the City of Santa Clara's specifications, will provide advance notification regarding working hours, duration of project, and any appropriate lane closures to affected businesses and residents. All public outreach and notifications will be administered by the City of Santa Clara.

COORDINATION

This project has been coordinated with the City of Santa Clara and the City of San José's City Attorney's Office, Budget Office, and Planning, Building, and Code Enforcement Department.

FISCAL/POLICY ALIGNMENT

The project is consistent with the Council-approved Budget Strategy General Principles section in that it protects vital core City services. Funding to support inter-agency pavement maintenance was allocated in the FY 2006-2007 Operating Budget.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: $423,711

2. COST OF PROJECT:

Project Delivery	$ 32,344
Construction	$ 355,788
Contingency	$ 35,579
TOTAL:	$ 423,711

3. SOURCE OF FUNDING: 465 – Construction Excise Tax Fund

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2006-2007 Proposed Capital Budget Page	Last Budget Action (Date, Ord. No.)
465	6123	Street Maintenance	$6,620,000	$423,711	V-961	
	Total Available Funding		**$6,620,000**	**$423,711**		

CEQA

Exempt, PP06-066

for James A Ortner
JAMES R. HELMER
Director of Transportation

For questions please contact Amanda Lei, Associate Engineer, at 277-5516.