

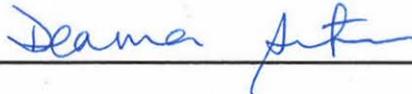
Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: James R. Helmer

SUBJECT: SILICON VALLEY ITS PROJECT - DATE: 11-26-07
KIMLEY-HORN AGREEMENT

Approved:



Date:

11/30/07

COUNCIL DISTRICT: 1, 6

SNI AREA: Burbank/Del

Monte, Winchester

RECOMMENDATION

- (a) Approval of a third amendment to the Consultant Services Agreement between the City of San José and Kimley-Horn and Associates, Inc. (Consultant), for the design and development of the Silicon Valley Intelligent Transportation Systems (ITS) West Corridor Project (Project), to extend the term of the Agreement, as previously amended and extended, from December 28, 2007 to December 31, 2008, and increasing the maximum compensation by \$71,484 from \$823,466 to \$894,950.
- (b) Adoption of a resolution authorizing the Director of Transportation (Director) to extend the term beyond December 31, 2008 for up to a maximum of an additional 180 days with no increase in compensation.

OUTCOME

Approval of the proposed Amendment will allow the Consultant to continue providing construction support services until the construction completion of the Project. The Project will result in the installation of communications infrastructure and traffic surveillance cameras that will enable the City and its project partners to actively manage traffic signals and monitoring systems along the Stevens Creek Boulevard corridor.

BACKGROUND

The City executed an Agreement with the Consultant on May 18, 2002 for design services towards the development of plans, specifications, and estimates (PS&E) for a project to install ITS infrastructure along Stevens Creek Boulevard between State Route 85 and Bascom Avenue. The Agreement has been amended twice to add funds for unforeseen Project changes, including a change in construction manager (from County to City) and Project scope changes as a result of modifications to grant funding.

When the Project is complete, Stevens Creek Boulevard from Bascom Avenue to State Route 85 will be equipped with traffic surveillance cameras and communication infrastructure necessary to enable all agencies responsible for the operation of the corridor to actively monitor and adjust signal operations in order to respond to day-to-day and incident traffic demands. Within San José, this project will enable staff to better monitor and manage seasonal traffic demands around Santana Row, Westfield Valley Fair Shopping Center, and Saratoga Avenue at Route 280.

The City is the project sponsor of this five-agency partnership project, with current responsibilities for both design and construction.

The Project was bid on August 24, 2006. Due to a steady trend of rising construction costs and high demand for regional construction services, the low bid exceeded available budget and necessitated reducing the scope of the Project. Approximately \$66,000 in design services was necessary to revise the bid package. The Consultant played a key role in:

- Analyzing and mitigating Project features that had the greatest potential for high cost impact;
- Reducing construction contract scope to eliminate work that was less critical to the project objectives or could be performed by Project Stakeholders with minimal impact to the Project;
- Identifying approximately \$240,000 in agency-specific construction elements to be funded by the Project Stakeholders.

In order to award the re-scoped project to meet grant deadlines, funds reserved for other Consultant Project tasks (such as construction management and supplemental services) were used in advance, as allowed by Section 6 “Compensation” of the Agreement, to allow the Consultant to perform the required work.

On August 14, 2007, Council appropriated the necessary funds to augment the existing budget in order to award the construction contract, as well as fund additional consultant construction support services necessary to prepare the final bid package.

ANALYSIS

The third amendment is now necessary to replenish Agreement funds in order to enable the Consultant to complete the work remaining under these tasks, primarily providing construction support to review submittals, develop necessary design-related change orders, attend construction meetings, and prepare record drawings.

In addition to the above \$66,000 in design services, the Consultant incurred an additional \$18,962 in overhead cost. The existing contract has contingency funds to absorb a portion of this total cost. Therefore, it is only necessary to increase the contract amount by \$71,484.

The Agreement is set to expire on December 28, 2007. A twelve month extension from December 28, 2007 to December 31, 2008 will allow the Consultant to provide support for the entire duration of construction through Project close-out. The Amendment also contains a provision to allow the Director of Transportation to extend the term of the Agreement up to an additional 180 days beyond December 31, 2008 if necessary for unforeseen delay of project construction.

EVALUATION AND FOLLOW UP

The Project will be within budget with approval of the recommendation. Due to the re-scoping and re-bidding of the construction contract, the Project is now expected to be completed by Summer of 2008.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/OUTREACH

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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)**

While this item does not meet any of the above Criterion, it will be posted on the City's website for the December 18, 2007 Council agenda. Work performed under the scope of this Amendment has been coordinated with the Project Stakeholders and Caltrans Local Assistance.

COORDINATION

This amendment has been coordinated with the City Attorney's Office, the Office of Planning, Building, and Code Enforcement, the City Manager's Budget Office, and Risk Management.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. This project also supports Transportation and Aviation CSA Outcome #3: Travelers have a positive, reliable, and efficient experience.

COST SUMMARY/IMPLICATIONS

Approval of the Amendment will authorize \$71,484 in additional consulting services. The approval of this Amendment will also allow completion of a construction project that will have a beneficial impact to the economy of Silicon Valley. No General Fund operating and maintenance costs will be generated by this Amendment.

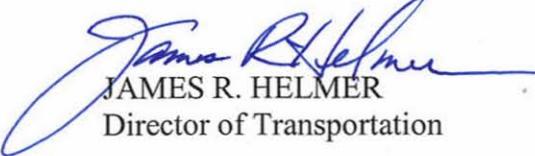
BUDGET REFERENCE

The table below identifies the fund and appropriation proposed to fund the Amendment to Agreement as recommended as part of this memo.

Fund #	Appn #	Appn. Name	RC #	Total Appn.	Amt. For Amendment to Agreement	2007-2008 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
429	4049	ITS: Stevens Creek-West	120743	\$4,051,000	\$71,484	V-1090	10/16/07 Ord. No. 28143

CEQA

Exempt, PP# 00-02-026.


JAMES R. HELMER
Director of Transportation

For questions please contact Lily Lim-Tsao, Program Manager II, at 975-3269.