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REPORT TO COUNCIL

SUBJECT

Award of Contract for the Mary Avenue Overcrossing Environmental Impact Report (F16-119) and Approval of Budget Modification No. 14 to Appropriate \$686,125 in Traffic Impact Fee Funding for the Project

REPORT IN BRIEF

Approval is requested to award a contract to Kimley-Horn Associates, Inc. of Pleasanton in an amount not-to-exceed \$623,750 to prepare the Mary Avenue Overcrossing Environmental Impact Report (EIR) and associated traffic analyses, and for a 10% contract contingency in the amount of \$62,375. Approval is also requested for Budget Modification No. 14 to provide \$686,125 in Traffic Impact Fee funding for the project.

EXISTING POLICY

Consistent with the provision of Sunnyvale Municipal Code Chapter 2.08, contracts for the procurement of services are awarded pursuant to a Request for Proposals (RFP) process, unless otherwise exempt from the competitive bidding.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

BACKGROUND AND DISCUSSION

On April 5, 2016, Council authorized the release of a Request for Proposals (RFP) to analyze and environmentally clear four options for the Mary Avenue Overcrossing project (RTC No. 16-0219):

- A four-lane Mary Avenue with dedicated bike lanes and sidewalks
- A two-lane Mary Avenue with enhanced bike lanes and sidewalks
- A bicycle and pedestrian crossing
- Remove the extension from the General Plan

Prior to this, staff conducted a Council Study Session on August 18, 2015 to review the City's transportation priorities, including the Mary Avenue project, and submitted a follow up informational RTC (No. 15-0953) in November 2015 to cover prior history and background on Mary Avenue, and to propose the release of the RFP.

The RFP was issued in May 2016, with two proposals received in June from Ascent Environmental and Kimley-Horn Associates. The proposals were evaluated by staff from the Departments of

Community Development and Public Works. Kimley-Horn was selected as the top-ranked team for several reasons. They presented the most in-depth understanding of past, present and potential future environmental issues associated with Mary Avenue, and demonstrated their ability to assist the City in obtaining environmental clearance for the four options. The Kimley-Horn team also proposed a more comprehensive approach to community outreach.

Both firms proposed initial base costs of approximately \$440,000, but neither proposal included sufficient scope for the level of technical studies and community outreach that staff feels will be required for the project. This necessitated adding scope and cost to the Kimley-Horn proposal. The final agreed-upon fee is \$623,750, substantially below the City's initial cost estimate of \$900,000. Completion of the EIR will require approximately 14-18 months and would be presented for Council consideration in late 2017 or early 2018.

FISCAL IMPACT

The City's Transportation Strategic Program (TSP), the financial basis for the City's current land use and transportation plan, identifies Mary Avenue Extension as an unfunded project in the FY 2016/17 Adopted Projects Budget. Budget Modification No. 14 has been prepared to appropriate funding of \$686,125 to a new project, Mary Avenue Overcrossing Environmental Impact Report (EIR) and Traffic Analysis, funded by Traffic Impact Fees collected by the City.

Budget Modification No. 14 FY 2016/17

	<u>Current</u>	<u>Increase/ (Decrease)</u>	<u>Revised</u>
Capital Projects Fund			
<u>Expenditures</u>			
New Project: Mary Avenue Overcrossing Environmental Impact Report (EIR) and Traffic Analysis	\$0	\$686,125	\$686,125
<u>Reserves</u>			
Capital Projects Fund / Traffic Impact Fees Sub- Fund - Capital Reserve	\$19,557,403	(\$686,125)	\$18,871,278

Funding Source

The funding source is the Traffic Impact Fee Sub-fund of the Capital Projects Fund.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

RECOMMENDATION

1) Award a contract, in substantially the same form as Attachment 1 to the report in an amount not-to-

exceed \$623,750 to Kimley-Horn Associates, Inc.; 2) approve a 10% contract contingency in the amount of \$62,375; and 3) Approve Budget Modification No. 14 to appropriate \$686,125 in Traffic Impact Fee Revenue to provide project funding.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Timothy J. Kirby, Director of Finance

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Manuel Pineda, Director of Public Works

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Draft Consultant Services Agreement