



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Award of Contract for the Preliminary Design and Environmental Clearance of the Bernardo Undercrossing Project (F17-075) and Budget Modification No. 5

#### **REPORT IN BRIEF**

Approval is requested to award a contract in the amount of \$586,577 to WMH Corporation of San Jose for professional services for the preliminary design and environmental clearance of the Bernardo Avenue CalTrain Undercrossing project. The contract consists of base services in the amount of \$569,737 and optional services in the amount of \$16,840 for additional public outreach if necessary. Approval is also requested for an approximate 8% contract contingency in an amount of \$46,334 to appropriate the remaining available grant funding as well as Budget Modification No. 5 in the amount of \$500,000.

#### **EXISTING POLICY**

Pursuant to 2.08 of the Sunnyvale Municipal Code, City Council approval is required for transactions exceeding \$100,000.

Consistent with the provision of Chapter 2.08 of the Sunnyvale Municipal Code, contracts for this type of professional design services are awarded pursuant to a Request for Proposals (RFP) best value process, unless otherwise exempt from competitive bidding. Additionally, the City evaluates civil engineering design proposals in conjunction with the Qualification Based Selection (QSB) process established in California Government Code section 4525 et. seq. This requires that consultants be evaluated on the basis of demonstrated competence before pricing is considered and negotiated.

#### **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(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### **BACKGROUND AND DISCUSSION**

The Bernardo Undercrossing Project will provide a pedestrian and bicycle crossing beneath the Caltrain railroad tracks on Bernardo Avenue. The tunnel will provide a safe and attractive non-motorized transportation crossing approximately half a mile north of the more challenging at-grade crossing of the Caltrain line at Mary Avenue.

This connection fills a critical gap in both the local and regional bicycle networks by providing safe, convenient access between Sunnyvale neighborhoods and employment destinations to the north,

and Sunnyvale west neighborhoods, school and employment locations south of the railway line. It will also help to connect east-west routes along Middlefield Road in Mountain View, Evelyn Avenue and California Avenue in Sunnyvale.

By enhancing pedestrian and bicycle connectivity, the Bernardo Undercrossing Project contributes to achievement of General Plan policies related to reducing traffic congestion, enhancing transportation safety, providing alternatives to driving, and increasing the bicycle and pedestrian mode share.

The Bernardo Undercrossing project was identified as a Tier 1 project in the 2008 Countywide Bicycle Plan and was included in the City's Transportation Strategic Plan at a cost of \$9.5 million estimated in 2013. The project was also included at a cost of \$9.8 million, as estimated in 2017, in the preliminary bicycle-pedestrian project list for VTA's Envision Silicon Valley, which is intended to be funded by Measure B. In January 2017, the VTA Board recommended that the City be awarded a \$500,000 OBAG grant for design/environmental review associated with this project. In a separate Report to Council also being delivered tonight, Council is accepting this grant.

A Feasibility Study for Bernardo Avenue Bicycle Undercrossing Project was completed in 2004. The conceptual design was based on requirements and anticipated conditions at the time, as well as design features at Evelyn Light Rail Transit (LRT) station undercrossing. Evelyn LRT station closed in 2015 due to very low ridership levels and the need to accommodate double tracks in the area.

Since completion of the Feasibility Study, bicycle network design has been advanced through various policy changes including the Complete Streets Act (AB 1358), Protected Bikeways Act (AB 1193), and Caltrans Memorandum on Flexibility in Multimodal Design (2014-4-2), which endorses use of the NACTO Urban Street Design Guide and NACTO Urban Bikeway Design Guide. The City has also undertaken a cursory assessment of bicycle undercrossing facilities in Santa Clara County and has identified potential design criteria ("VIVID") associated with successful facilities:

- Visibility: Avoid blind corners and hidden spaces with no eyes on the street
- Inclusion: Ensure ADA accessibility and sufficient width for pedestrians and bicyclists
- Vistas: Provide intrinsic wayfinding and orient entrances to wider networks and land uses
- Identity: Design the undercrossing as a public space and gateway element
- Directness: Avoid out-of-direction travel within the undercrossing and along approaches

Design and operational requirements along the Caltrain/Joint Powers Board (JPB) right-of-way have also changed or are expected to change due to higher existing Caltrain service frequency, Peninsula corridor electrification, and development of High Speed Rail (HSR).

In reflection of these anticipated conditions, the preliminary design project includes close ongoing participation of Caltrain/JPB as well as reconsideration of the undercrossing design to ensure compliance with current requirements and maximize performance in terms of both ridership and placemaking.

A Request for Proposal (RFP) process was utilized to solicit proposals for this project. Thirty-Three (33) firms requested the RFP documents. Six (6) responsive proposals were received on February 22, 2017 from HDR, McMillen Jacobs Associates, Mott MacDonald, Steven Grover & Associates, TY Lin International, and WMH Corporation. The qualifications of the proposers were evaluated by staff

from the Public Works Department, and WMH Corporation was selected as the top ranked team for several reasons including:

- Extensive experience with similar projects involving railway undercrossings and pedestrian/bicycle facilities
- Familiarity, understanding and anticipation of issues and opportunities at the site
- Advanced abilities and experience in outreach

The initial submitted pricing for base services among the submitting firms ranged from \$479,723 to \$770,105. WMH's proposed base pricing in the amount of approximately \$649,333 was subsequently negotiated to \$569,737 without a reduction in work scope. Optional Services in the amount of \$16,840 are also included for additional outreach services, if necessary.

### **FISCAL IMPACT**

Funding for this phase of the project is provided through Traffic Impact Fee Revenue. The FY 2017/18 Budget anticipated using One Bay Area Grant (OBAG) funds for this project however, although approved for funding, there is some uncertainty that the funds will be available in this fiscal year. Therefore, staff is recommending appropriating the TIF Revenue to keep the project on schedule. The OBAG funding will be used to defray costs in a later phase of the project. Budget modification No. 5 has been prepared to appropriate Traffic Impact Fee revenue to the Project.

#### **Budget Modification No. 5 FY 2017/18**

	<b><u>Current</u></b>	<b><u>Increase (Decrease)</u></b>	<b><u>Revised</u></b>
<b>Capital Projects Fund/Traffic Impact Fees Sub-Fund</b>			
<u>Transfers Out:</u>			
Transfer out to General Assets Sub-Fund, Project 901202 – Bernardo Ave. Undercrossing Environmental Analysis	\$132,911	\$500,000	\$632,911
<u>Reserves:</u>			
Capital Reserve	\$19,904,995	(\$500,000)	\$19,404,995

**Capital Projects Fund/General Assets  
Sub-Fund**

Transfers In:

Transfer in from Traffic Impact Fees Sub Fund to Project 901202 – Bernardo Ave. Undercrossing Environmental Analysis	\$2,959,813	\$500,000	\$3,459,813
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Expenditures:

Project 901202 – Bernardo Ave. Undercrossing	\$132,911	\$500,000	\$1,132,911
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**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 and in an amount not to exceed \$586,577, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a contract contingency in the amount of \$46,334.

Prepared by: Gregory S. Card, Purchasing Officer  
Reviewed by: Timothy J. Kirby, Director of Finance  
Reviewed by: Manuel Pineda, Director of Public Works  
Reviewed by: Walter C. Rossmann, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Draft Consultant Services Agreement