



Agenda Item No (4)

To: Building and Operating Committee/Committee of the Whole
Meeting of July 23, 2020

From: Ron Downing, Director of Planning
Kellee J. Hopper, Deputy General Manager, Administration and Development
Joseph M. Wire, Auditor-Controller
Denis J. Mulligan, General Manager

Subject: **APPROVE ACTIONS RELATIVE TO PROFESSIONAL SERVICES AGREEMENT NO. 2017-D-30, SAN RAFAEL TRANSPORTATION CENTER RELOCATION ANALYSIS, ENVIRONMENTAL CLEARANCE, AND PRELIMINARY DESIGN, WITH KIMLEY-HORN AND ASSOCIATES**

Recommendation

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to Professional Services Agreement No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*:

1. Authorize execution of the Second Amendment to Professional Services Agreement (PSA) No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, with Kimley-Horn and Associates in an amount not to exceed \$577,421 for continuation of consulting services, which would revise the total to an amount not to exceed \$2,065,209; and,
2. Establish a project contingency in the amount of \$264,263, which is equal to 10% of the sum of the revised contract amount (\$2,065,209) plus the amount of the Second Amendment (\$577,421). This would revise the total project budget to \$2,906,893.
3. Authorize a budget increase of \$841,684 in the FY 20/21 District Division Capital Budget for Project #1717, to be funded with 82% federal and 18% District funds, for a revised total project budget of \$2,906,893.

This matter will be presented to the Finance-Auditing Committee at its meeting of July 23, 2020, for concurrence, and to the Board of Directors at its July 24, 2020 meeting for appropriate actions.

Summary

At its September 22, 2017 meeting, the Board of Directors, by Resolution No. 2017-087, authorized the award of Professional Services Agreement No. 2017-D-30, *San Rafael*

Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design, to Kimley-Horn and Associates.

Professional Services Agreement No. 2017-D-30 calls for work towards relocating the San Rafael Transportation Center to a permanent location in downtown San Rafael. This work includes determining the most feasible replacement site, environmentally clearing the selected site, and providing a preliminary design (30%) package that will lead to a subsequent project, which will include completing final design and construction of the permanent San Rafael Transportation Center.

Over the course of the project, the project team, which is comprised of Golden Gate Bridge, Highway and Transportation District (District) staff and the consultant team, has been collaborating with stakeholder agencies including the City of San Rafael, Marin Transit, the Sonoma-Marín Area Rail Transit Agency (SMART), the Transportation Authority of Marin (TAM), and the Metropolitan Transportation Commission (MTC). Meetings between the agencies have occurred at the staff, general manager, and policy group (elected/appointed officials) levels.

The initial project scope called for the analysis of three specific alternatives, which were identified by the City of San Rafael's 2017 *San Rafael Transit Center Relocation Study*, and a fourth alternative, which was to be determined through the analysis process. However, after holding community meetings in March and June 2018, as well as several meetings with San Rafael community groups and the project technical working group, it was determined that the project approach must be modified to accommodate the evolving community interest in the project. Therefore, in response to expanded public outreach efforts, changes to conditions of downtown San Rafael (including the start of SMART service), and the City of San Rafael's efforts towards updating their General Plan and Downtown Plan, it was determined that the best way to proceed would be to disregard the previous three Alternatives (from the Relocation Study). Instead, the consultant would determine an entirely new set of potential concepts. This revised approach, while remaining within the bounds of the original scope, required more intense analyses and a significant amount of additional public outreach, resulting in the need for a contract amendment.

At District staff's request, Kimley-Horn presented the District with a proposed scope and budget for Amendment #1. Their proposed scope was based on detailed discussions and direction from the District project team. The amount of the amendment was \$218,852, an amount which, due to its value, was approved administratively by the General Manager in the spring of 2019, and which exhausted the original contract contingency amount.

After the environmental scoping period ended in the fall of 2018, the environmental screening process began. Through the screening process, there were a number of coordination meetings at various levels, including the staff-level joint project team, the General Manager group, and the Policy group. While the project scoping process resulted in the identification of five project alternatives, the project screening process narrowed the number of alternatives to three. These three alternatives include the 4th Street Gateway, the Whistlestop Block, and the North of 4th Street concepts.

After the number of alternatives was narrowed to three, the City of San Rafael introduced a number of sub-alternatives for what was the North of 4th Street alternative. While it was determined that

a full-block North of 4th Street alternative would not work, that alternative evolved to include a portion of the block to the south of 4th Street as well. Hence, gaining consensus for the final configuration of this alternative required more time and resources.

Amendment #1 was approved in the spring of 2019. At that point, the project scope limited the number of alternatives being taken into the environmental clearance process to one. However, through the various inter-agency coordination meetings, it has been determined that it would be most prudent to take *all three* alternatives through the environmental clearance process, which would significantly increase the amount of work. This additional work warrants the need for Amendment #2. This involves work on the transportation and environmental analyses, public outreach, and preliminary design phases of the project. While the amount of work would increase in intensity, no new aspects of work will be introduced, thus, the tasks remain within the bounds of the original scope.

Upon direction from District staff, Kimley-Horn has presented the District with a proposed scope and budget for the amendment. Their proposed scope is based on detailed discussions and direction from the District project team. The proposed amount of their proposal is \$577,421. Billing rates are consistent with the rates of the original proposal, and the projected additional work hours are reasonable, based on the direction provided by the District project team and the amount of work expected.

The District's Disadvantaged Business Enterprise (DBE) Program Administrator has determined Kimley-Horn's DBE subconsultants will perform 11.4% of the additional proposed scope of work included in this amendment.

Staff proposes that the Building and Operating Committee recommend that the Board of Directors authorize the execution of the Second Amendment to Professional Services Agreement No. 2017-D-30 with Kimley-Horn and Associates in the amount not to exceed \$577,421 to perform additional services outlined in this report. The consultant will be compensated for actual time expended and expenses incurred. Staff also recommends that a contingency for this Amendment, in the amount of \$264,263 be established which would restore the amount of the original contingency that was exhausted by Amendment #1, and for any additional scope of services that may develop while work progresses.

Fiscal Impact

The FY 20/21 Capital Budget includes funding in the amount of \$2,065,209 for Project #1717; San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design Project. The proposed amendment increases the project budget by \$841,684, funded with federal and District funds, to fund the Second Amendment to PSA No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, with Kimley-Horn and Associates. The revised total budget of \$2,906,893 will be funded with \$2,387,471 (82%) federal funds and \$519,422 (18%) District funds.

TABLE 1: PROJECT BUDGET - #1717, SRTC Relocation Des/Env

DESCRIPTION	CURRENT TOTAL PROJECT BUDGET	PROPOSED ADJUSTMENT	PROPOSED TOTAL PROJECT BUDGET
Staff and Fringe	223,000		223,000
Indirect Cost	165,000		165,000
Prime Contract (2017-D-30 Kimley-Horn)	1,458,209	577,421	2,035,630
Prime Contract Contingency	219,000		219,000
Project Contingency	0	264,263	264,263
Grand Total	\$ 2,065,209	\$ 841,684	\$ 2,906.893

<i>Delta from Previous Action (\$)</i>	-	\$ 841,684
<i>Delta from Previous Action (%)</i>	-	41%