



Agenda Item No. (4)

To: Building and Operating Committee/Committee of the Whole
Meeting of August 25, 2022

From: Raymond Santiago, Manager of Traffic Engineering and Transit Facilities
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 (Board) approve the following actions relative to Professional Services Agreement (PSA) No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*:

1. Authorize execution of the Third Amendment to 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 \$1,647,259 for continuation of consulting services;
2. Increase the project contingency by \$104,026, to a total of \$368,289, which is equal to 10% of the sum of the contract amount (\$2,035,630) plus the amount of the Third Amendment (\$1,647,259); and,
3. Authorize a budget increase of \$1,751,285 in the FY 22/23 Bus Division Capital Budget for Project #1717, for a revised total project budget of \$4,658,178.

This matter will be presented to the Finance-Auditing Committee at its meeting of August 25, 2022, for concurrence, and to the Board at its August 26, 2022, meeting for appropriate action.

Summary

On September 22, 2017, the Board, by Resolution No. 2017-087, authorized the award of PSA No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, to Kimley-Horn and Associates. PSA No. 2017-D-30 called for work to replace the San Rafael Transportation Center 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 to 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 Kimley-Horn 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 environmental scoping period ended in the fall of 2018 and was followed by the environmental screening process. 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 were the 4th Street Gateway, the Whistlestop Block, and the Under the Freeway concepts.

Amendment #1, in the amount of \$218,852, was approved administratively by the General Manager in the spring of 2019. That amendment addressed needs which arose through a number of community and stakeholder meetings to accommodate evolving community interests and downtown activity including the start of SMART service and the City of San Rafael's efforts towards updating their General and Downtown Plans.

Amendment #2, in the amount of \$841,684, was approved by the District Board in July 2020. This amendment addressed needs, which surfaced through the environmental screening process. These needs included expanding the environmental analysis to include all three of the alternatives still under consideration, rather than the originally scoped single alternative. This work involved additional work on the transportation and environmental analyses and preliminary design phases, as well as additional public outreach and increased the volume of work while remaining within the bounds of the original scope.

In August of 2021, the Draft Environmental Impact Report (DEIR) was released and was a culmination of the work included in Amendment #2. The initial 60-day public comment period was due to close in October 2021, but in response to a request from Marin Transit, the public comment period was extended to November 2021. The District received valuable constructive public comments from stakeholder agencies, community-based organizations, and the general public. Based on this input, it was determined that additional work was needed to address the comments received.

The work includes:

- Additional outreach and engagement efforts with regards to low-income and minority populations, as they comprise a significant portion of transit center users, as well as general community outreach related to the Preferred Alternative.

- Preparation of materials associated with the extension of the DEIR deadline, coordination with stakeholders through the DEIR review period, and associated visualization activities.
- Additional materials, analysis, and engagement needed to evaluate and further develop design of the Preferred Alternative and respond to comments and requests in working toward conclusion of the environmental process.
- Work to prepare a Categorical Exclusion (CE) in compliance with National Environmental Policy Act (NEPA) requirements.
- Additional structural, engineering, and architecture evaluations to further the design and analysis of the Preferred Alternative, including additional community outreach and engagement to gather input on the design of the transit center and plaza.

Kimley-Horn has presented the District with a proposed scope for the amendment, based on detailed discussions and direction from the District project team. The amount of their proposal is \$1,647,259. Billing rates are consistent with the rates of the original proposal (factoring in 2022 salary escalations), and the projected additional work hours are reasonable based on the direction provided by the District project team and the amount of work expected.

Based on staff's analysis of Kimley-Horn's proposed Scope of Services for the San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design project, staff believes the price for Amendment #3 for Contract 2017 D-30 is fair and reasonable.

The District's Disadvantaged Business Enterprise (DBE) Program Administrator has determined Kimley-Horn's DBE subconsultants will perform 9.4% of the additional proposed scope of work included in this amendment.

Staff proposes that the Building and Operating Committee recommend that the Board authorize the execution of the Third Amendment to PSA No. 2017- D-30 with Kimley-Horn in the amount not to exceed \$1,647,259 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 \$455,415 be established. This contingency would supplement the amount of the original contingency, which has been reserved for previously identified activities.

Fiscal Impact

Project #1717, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, was approved in the FY 22/23 Bus Division Capital Budget for \$2,906,893. The proposed amendment increases the project budget by \$1,751,285 to fund the Third 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 project budget of \$4,658,178 will be funded with \$3,788,499 (81%) federal funds and \$869,679 (19%) 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)	2,035,630	1,647,259	3,682,889
Prime Contract Contingency	219,000		219,000
Project Contingency	264,263	104,026	368,289
Grand Total	\$ 2,906,893	\$ 1,751,285	\$ 4,658,178

<i>Delta from Previous Action (\$)</i>		\$ 1,751,285
<i>Delta from Previous Action (%)</i>		60%