



Agenda Item No. (4)

To: Building and Operating Committee/Committee of the Whole  
Meeting of June 22, 2023

From: Raymond A. 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 CONTRACT 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 Contract No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design* as follows:

1. Authorize execution of the Fourth Amendment to Contract 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 \$272,421 for the total contract amount of \$4,174,310 for continuation of consulting services; and,
2. Revise the contract contingency to \$47,579;

with the understanding that sufficient funds to finance the Fourth Amendment to the PSA and the contract contingency are available in the budget for the *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design* (Project #1717).

This matter will be presented to the Board of Directors at its June 23, 2023, meeting for appropriate action.

### **Summary**

On September 22, 2017, the Board, by Resolution No. 2017-087, authorized the award of Contract No. 2017-D-30, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, to Kimley-Horn and Associates. Contract No. 2017-D-30 called for work to support the replacement of 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 engagement 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 (MT), 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 several 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 \$218,877.74, 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 \$577,420.73, 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 single alternative which was initially scoped. 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.

Amendment #3 in the amount of \$1,642,431.55, was approved by the District Board on August 26, 2022. This amendment addressed necessary work which arose from public comments after the release of the Draft Environmental Impact Report (DEIR) in August of 2021. This work included additional public outreach and engagement, materials and activities related to the extension of the DEIR deadline, work needed to further develop the Preferred Alternative, preparation of a Categorical Exemption (CE) to comply with the National Environmental Policy Act (NEPA), and additional structural, engineering, and architectural evaluations to further design and analysis of the Preferred Alternative. The third amendment also increased the project contingency by \$104,026 which raised the project contingency's total to \$368,289.

In October 2022, the Final Environmental Impact Report (FEIR) was released to the public. On December 16, 2022, the Board of Directors certified the FEIR and the preliminary (30%) design

phase of the project began. Prior to release of the FEIR, the District's project team met several times with staff from the City of San Rafael to address the City's concerns about the DEIR. From those discussions arose the concept of establishing a Community Design Advisory Group (CDAG). This group would be comprised entirely of members of the San Rafael community and would advise the transit center design team on issues such as aesthetics, amenities, access, and integration into the downtown. In order to undertake this task, additional work would be required by the consultant team. The additional work would involve:

- Strategy development and coordination efforts for the formation of the CDAG.
- Expanded engagement with the public, including in-person open house meetings with multi-lingual support.

In addition to the CDAG, it was also determined that work related to the transit center structure was also in order. This work includes:

- Initiation of a LEED certification process for the customer service facility.
- Expansion of survey and geotechnical analysis to align with the footprint of the selected project alternative.

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 \$272,421. Billing rates are consistent with the rates of the original proposal (factoring in 2023 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 has determined that the price for Amendment No.4 to be fair and reasonable.

The District's Disadvantaged Business Enterprise (DBE) Program Administrator has determined Kimley-Horn's DBE subconsultants will perform 25.7% 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 Fourth Amendment to Contract No. 2017-D-30 with Kimley-Horn in an amount not to exceed \$272,421 to perform additional services outlined in this report. The consultant will be compensated for actual time expended and expenses incurred. Staff also recommends that \$320,000 be transferred from the *project* contingency to the *contract* contingency to cover the costs of this amendment and future unforeseen costs.

### **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 \$4,658,178. There are sufficient funds in the project budget to support this proposed board action. In approving this item, the Board will authorize an increase in the prime contract in the amount of \$272,421 and the prime *contract* contingency in the amount of \$47,579 by reallocating the *project*

contingency by the same amount as shown in the table below. The previously approved contract contingency of \$219,000 has been exhausted.

**TABLE 1: PROJECT BUDGET - #1717, SRTC Relocation Analysis, Environmental Clearance, and Preliminary Design**

<b>DESCRIPTION</b>	<b>CURRENT TOTAL PROJECTED BUDGET</b>	<b>PROPOSED ADJUSTMENT</b>	<b>PROPOSED TOTAL PROJECT BUDGET</b>
Staff and Fringe	223,000		223,000
Indirect Cost	165,000		165,000
Prime Contract (2017-D-30 Kimley-Horn)	3,901,889	272,421	4,174,310
Prime Contract Contingency	0	47,579	47,579
Project Contingency	368,289	(320,000)	48,289
<b>Grand Total</b>	<b>4,658,178</b>	<b>0</b>	<b>4,658,178</b>

<i>Delta from Previous Action (\$)</i>	<i>0</i>
<i>Delta from Previous Action (%)</i>	<i>0</i>