



Agenda Item No. (4)(b)

To: Finance and Auditing Committee/Committee of the Whole
Meeting of June 27, 2024

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

Subject: **AUTHORIZE BUDGET ADJUSTMENT(S) AND/OR TRANSFER(S)**
(b) BUDGET INCREASE IN THE FY 23/24 BUS DIVISION CAPITAL
BUDGET FOR PROJECT #1717, SAN RAFAEL
TRANSPORTATION CENTER RELOCATION ANALYSIS,
ENVIRONMENTAL CLEARANCE, AND PRELIMINARY DESIGN

Recommendation

The Finance and Auditing Committee recommends, in concurrence with the Building and Operating Committee at its June 27, 2024 meeting, that the Board of Directors (Board) authorize a budget increase in the FY 23/24 Bus Division Capital Budget relative to Project #1717, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, in the amount of \$986,431.

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 which include the City of San Rafael, Marin County Transit District (MT), the Sonoma-Marin 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.

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. Project requirements to satisfy the California Environmental Quality Act (CEQA) were completed through the FEIR.

To complete a funding package for the final design and construction portions of the project, Federal funds will be needed. Hence, District staff are in the process of programming Federal Transit Administration (FTA) formula funds and have submitted applications to Federal discretionary funding opportunities for the project. However, in order to use Federal funds for the project, the project must also obtain Federal environmental clearance through the National Environmental Policy Act (NEPA). The project team has been working with the FTA to complete the NEPA process and hopes to secure clearance in the coming months.

This fifth contract amendment addresses tasks necessary to obtain that NEPA clearance, including more extensive archaeological testing and reporting; additional meetings with stakeholder agency Boards, Commissions, and City Councils; additional Community outreach and meetings (in English and Spanish); and additional structural, engineering, and architectural design tasks to address feedback obtained from San Rafael City staff and the general public.

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.

Amendment #4, in the amount of \$272,421, was approved by the District Board on June 24, 2023. This amendment addressed issues raised by City of San Rafael staff that arose prior to release of the FEIR, and subsequent to the District Board's certification of the FEIR. These issues included the establishment of a Community Design Advisory Group (CDAG), a group comprised entirely of members of the San Rafael community to advise the transit center design team on such issues as aesthetics, amenities, access, and integration into the downtown. The fourth amendment also addressed additional needs regarding the initiation of a LEED certification process for the customer service facility, and the expansion of survey and geotechnical analysis for the project site.

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 \$896,755.41. Billing rates are consistent with the rates of the original proposal (factoring in 2024 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 the price for Amendment #5 to be fair and reasonable.

The District's Disadvantaged Business Enterprise (DBE) Program Administrator has determined Kimley-Horn's DBE subconsultants will perform 7.5% 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 Fifth Amendment to Contract No. 2017-D-30 with Kimley-Horn in an amount not to exceed \$896,755.41 to perform additional services outlined in this report. The consultant will be compensated for actual time expended and expenses incurred. Staff also recommends that \$89,676 (10%) be added to replenish the contract contingency.

Fiscal Impact

Project #1717, *San Rafael Transportation Center Relocation Analysis, Environmental Clearance, and Preliminary Design*, was approved in the FY 23/24 Bus Division Capital Budget for \$4,658,178. The proposed amendment increases the project budget by \$986,431, to be funded with 100% District reserves.

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

DESCRIPTION	CURRENT TOTAL PROJECT BUDGET	PROPOSED ADJUSTMENT	PROPOSED TOTAL PROJECT BUDGET
Staff and Fringe	\$223,000	-	\$223,000
Indirect Cost	\$159,950	-	\$159,950
General Project Expenditures	\$10,000	-	\$10,000
Prime Contract (2017-D-30 Kimley-Horn)	\$4,169,360	\$896,755	\$5,066,115
Prime Contract Contingency	\$95,868	\$89,676	\$185,544
Grand Total	\$4,658,178	\$986,431	\$5,644,609

<i>Delta from Previous Action (\$)</i>	<i>\$986,431</i>
<i>Delta from Previous Action (%)</i>	<i>21%</i>

Table 2: Summary of Budget Actions

Action Date	Adjustment Amount	Total Project Budget	Delta from Previous
12/16/2016	\$1,250,000	\$1,250,000	-
5/26/2017	\$162,000	\$1,412,000	13%
6/28/2017	\$5,000	\$1,417,000	0.4%
9/22/2017	\$648,209	\$2,065,209	46%
7/24/2020	\$ 841,684	\$ 2,906,893	41%
8/26/2022	\$1,751,285	\$4,658,178	60%
6/28/2024 (Proposed)	\$986,431	\$5,644,609	21%

Total Delta from Initial Authorization	352%
---	-------------