



Office of the City Manager

CONSENT CALENDAR
September 19, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Liam Garland, Director, Public Works
Subject: Contract No. 32200073 Amendment: Toole Design Group for Engineering Design and Construction Support Services for the Southside Complete Streets Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200073 with Toole Design Group for engineering design and construction support services for the Southside Complete Streets Project, increasing the contract by \$508,602, for a total amount not to exceed \$1,790,213, and extending the term of the contract from December 31, 2023 to June 30, 2025.

FISCAL IMPACTS OF RECOMMENDATION

Funds for the additional scope of work in the amount of \$508,602 for this amendment are available in the FY 2024 budget for Fund 134, Alameda County Measure BB - Local Streets & Roads pending the first Amendment to the Annual Appropriations Ordinance.

Current contract amount	\$ 1,281,611
<u>Contract amendment</u>	<u>\$ 508,602</u>
Total revised not-to-exceed amount	\$ 1,790,213

The average cost associated with the development, routing, and approvals of a consent calendar item such as this is approximately \$3,200. The average cost for an action or work session item is approximately \$6,200.

CURRENT SITUATION AND ITS EFFECTS

The contract amendment will expand the scope of services with Toole Design Group (Toole) to include additional services during the design and construction phases of the Southside Complete Streets Project (Project).

The City contracted with Toole to perform planning and engineering design services for a scope of work that was based key elements derived from the City of Berkeley's Pedestrian and Bicycle Plans and the City's Transit-First Policy. Toole and City staff conducted extensive outreach efforts with the public, outside agencies, and City

departments which resulted in a substantially updated and expanded understanding of the needs and expectations of both public agency stakeholders and the Berkeley community. This process culminated in a conceptual design that was approved by City Council on February 22, 2022, requiring significantly higher level of design effort than originally envisioned. Consequently, City staff negotiated with Toole to develop a scope and fee for additional design and construction support services to augment the current contract, commensurate with the actual scope of the Project.

The final conceptual design resulted in the following additional work, which focused on improvements to safety, accessibility, optimization, and sustainable design: project management (including numerous meetings to discuss and coordinate additional design components) and changes to design documents, including:

- a. traffic signal modifications at four additional locations and a new signalized intersection at Bancroft Way/Barrow Way,
- b. preparation of exhibits to facilitate expedited decisions on curb space usage and paratransit loading/unloading locations,
- c. extensive pavement analysis and design for bus lanes and to accommodate the new generation of heavier electric buses,
- d. redesign of roadway layout features due to revised comments from crucial stakeholders,
- e. evaluating approximately 90 curb ramps for compliance with current standards and designing new curb ramps where needed,
- f. revised environmental clearance documents as a result of the changed Project scope, and
- g. coordination with Caltrans (the grant funding administrator) to expedite review of documents in order to meet grant funding deadlines.

The actual scope of the Project also necessitates an increase in Toole's estimated design-related services during the construction phase, which will likely involve review of contractor's technical submittals and requests for information; on-site meetings involving subsurface utility coordination, work around buried rail lines, and traffic signal phasing and coordination; and revisions to the plans and/or technical specifications as a result of unanticipated changes to the design such as unforeseen subsurface site conditions. Toole, as the design consultant and engineer of record, has the requisite knowledge and background to provide these services, which are necessary in order for the City to efficiently manage the construction and reduce the effects of construction on residents, local businesses, UC Berkeley, transit, pedestrians, bicyclists, and motorists.

The contract amendment will also extend the duration of this contract to conform with the anticipated completion of all construction and subsequent Project close-out activities in mid-2025.

The Southside Complete Streets Project is one of the Public Works Department's Top Projects for FY 2023, advancing the City's Strategic Plan Priorities to (1) provide state-

of-the art, well-maintained infrastructure, amenities, and facilities, (2) create a resilient, safe, connected, and prepared city, and (3) be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

In recent years, the Southside neighborhood has experienced continuing growth in both commercial activity and residential occupancy, with increased walking, biking, transit use, ride-hailing, and freight and small package delivery. The Southside Complete Streets Project aims to meet these challenges by taking the visions laid out in City plans and other documents and coupling them with a community- and data-driven approach to design transportation improvements.

The goals of the Southside Complete Streets Project are:

- (1) Ensure safety for all street users consistent with the City's Vision Zero policy, which relies in large part on the City's Pedestrian and Bicycle plans;
- (2) Improve transit reliability consistent with the City's Transit-First policy; and
- (3) Support the economic and cultural vitality of Berkeley's Southside neighborhood consistent with the Economic Development goals of the City's Southside Plan.

Several previous City Council actions are relevant to this report:

On June 27, 2017, City Council authorized the filing of an application and subsequent acceptance of funds for the Southside Complete Streets Project. In 2018, the City received an \$8,335,000 Federal-aid grant from Alameda County Transportation Commission (Alameda CTC) and the California Department of Transportation (Caltrans) for transportation improvements in Berkeley's Southside neighborhood. Of this grant, \$1 million is allocated for preliminary engineering (planning, conceptual design, and public engagement); environmental compliance; plans, specifications and estimates (detailed engineering design and preparation of construction documents); and construction bid and engineering support. The remaining \$7,335,000 of the grant is for construction of transportation improvements.

On January 26, 2021, City Council authorized the City Manager to execute a contract with Toole for planning, design, and engineering of the Project. The contract was subsequently executed on August 2, 2021. Planning and community outreach efforts immediately began in earnest, culminating in recommended conceptual design options that were approved by Council on February 22, 2022; on that same date, City Council directed the City Manager to direct staff to proceed with detailed engineering design of the Project.

Detailed design documents were prepared by Toole and City staff, and Caltrans (as the grant funding administrator) reviewed and approved these documents in February 2023.

The Project advertisement and bid period ensued, and bids were received by construction contractors in May 2023.

On June 27, 2023, City Council took the following actions: (a) approve plans and specifications for the Southside Complete Streets Project (“Project”); (b) accept the bid of Bay Cities Paving & Grading, Inc. (Bay Cities), the lowest responsive and responsible bidder; and (c) authorize the City Manager to execute a contract with Bay Cities for construction of the Project, in an amount not to exceed \$12,973,925, which included a contingency for unforeseen circumstances.

The construction contract with Bay Cities has since been executed, and construction of the project has recently begun. On-site construction of the Project is anticipated to be complete in late 2024 and subsequent grant funding close-out is anticipated to extend into mid-2025.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Installation of protected bikeways and improved pedestrian crossings is anticipated to increase walking and biking, which is consistent with the 2009 Berkeley Climate Action Policy that calls for expanding and improving Berkeley’s bicycle and pedestrian infrastructure. Installation of transit-only lanes is anticipated to improve bus reliability and decrease travel times, making on-street transit a more attractive mode of transportation. The 2009 Berkeley Climate Action Plan sets targets of reducing transportation emissions 33% below year 2000 levels by 2020, and 80% below year 2000 levels by 2050. The Plan further states that transportation modes such as public transit, walking, and bicycling must become the primary means of fulfilling the City’s mobility needs in order to meet those targets.

RATIONALE FOR RECOMMENDATION

In order to design and construct the Project in accordance with the Council-approved conceptual design, which was developed with significant input from the community, an amendment to Toole’s contract is required. Successful completion of the Project requires contracted design and construction support services, as the City does not possess the necessary background information or specific technical expertise.

ALTERNATIVE ACTIONS CONSIDERED

If City Council chooses not to take the proposed actions at this time and instead defer the item to a future Council agenda, construction of the Project would likely be delayed and could result in increased costs to the Project.

CONTACT PERSON

Hamid Mostowfi, Acting Transportation Manager, Public Works Department 510-981-6403

Kenneth Jung, Supervising Civil Engineer, Public Works Department 510-981-7028

Eric Anderson, Principal Planner, Public Works Department 510-981-7062

Contract No. 32200073 Amendment: Toole Design Group for Engineering Design CONSENT CALENDAR
and Construction Support Services for the Southside Complete Streets Project September 19, 2023

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32200073 AMENDMENT:
TOOLE DESIGN GROUP FOR ENGINEERING DESIGN AND CONSTRUCTION
SUPPORT SERVICES FOR THE SOUTHSIDE COMPLETE STREETS PROJECT

WHEREAS, on January 26, 2021 via Resolution No. 69,708-N.S., City Council authorized the City Manager to enter into a contract with Toole Design Group for planning, design, and engineering of the Southside Complete Streets Project for an amount not to exceed \$1,281,611; and

WHEREAS, the City Manager executed Contract No. 32200073 with Toole Design Group for an amount not to exceed \$1,281,611 for the period August 2, 2021 through December 31, 2023; and

WHEREAS, on June 27, 2017 via Resolution No. 68,061-N.S., City Council authorized the filing of an application (and subsequent acceptance of funds) to the Metropolitan Transportation Commission for funding for the Southside Complete Streets Project, which includes federal funding; and

WHEREAS, in 2018, the City received an \$8,335,000 Federal-aid grant from Alameda County Transportation Commission and the California Department of Transportation for the Southside Complete Streets Project, which includes \$1 million for preliminary engineering, environmental compliance; detailed engineering design, and design-related construction support services, and \$7,335,000 for construction work; and

WHEREAS, the contract with Toole Design Group was based on an assumed Project scope with key elements derived from the Berkeley Pedestrian Plan, Berkeley Bicycle Plan, and the Berkeley Transit-First Policy; and

WHEREAS, City staff and Toole Design Group conducted an extensive community outreach effort in which input was received from various stakeholders including nearby businesses, residents, UC Berkeley, transit agencies, and various City departments, and conceptual design options were prepared that incorporated comments into the Project as additional scope items; and

WHEREAS, on February 22, 2022 via Resolution No. 70,241-N.S., City Council approved selected conceptual options for the Southside Complete Streets Project and authorized the City Manager direct staff proceed with the detailed engineering design; and

WHEREAS, on June 27, 2023 via Resolution No. 70,919-N.S., City Council approved plans and specifications for the Southside Complete Streets Project, accepted the lowest responsive and responsible bid for the construction, and authorized the City Manager to execute a contract with said bidder; and

September 19, 2023

WHEREAS, the Southside Complete Streets Project is one of the Public Works Department's Top Projects for FY 2023; and

WHEREAS, Toole Design Group, as the design consultant and engineer of record, has the requisite knowledge and background to provide the design services for the aforementioned additional scope items plus corresponding additional design-related services during the construction phase, which are necessary in order for the City to efficiently manage the project; and

WHEREAS, the construction and subsequent project close-out period is anticipated to be complete in mid-2025; and

WHEREAS, funding of \$508,602 is available in the FY 2024 budget from the Alameda County Measure BB - Local Streets & Roads Fund (Fund 134) pending approval via the first Amendment to the Annual Appropriations Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32200073 with Toole Design Group for engineering design and construction support services for the Southside Complete Streets Project, increasing the contract by \$508,602, for a total amount not to exceed \$1,790,213, and extending the term of the contract from December 31, 2023 to June 30, 2025.

