



Office of the City Manager

CONSENT CALENDAR
MAY 14, 2019

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Department of Public Works

Subject: Amendment to Grant Funding Agreement for Gilman Railroad Pedestrian Crossing Safety Project, Specification No. 18-11244-C

RECOMMENDATION

Adopt a Resolution accepting an amendment to the grant funding agreement between the City and the California Department of Transportation, Service Contract No. 75LX291, for the Gilman Railroad Pedestrian Crossing Safety Project to increase the amount from \$310,500 to \$473,000 and revise the expiration date from December 19, 2019 to December 31, 2020 and authorizing the City Manager to execute said amendment and any other associated necessary agreement.

FISCAL IMPACTS OF RECOMMENDATION

The increase of \$162,500 in grant funding is subject to appropriation in the FY 2020 budget in the Caltrans Fund (Fund 344). It will be added to the Gilman St/Railroad Pedestrian Crossing Safety project budget (344-54-622-668-0000-000-431-665110). The grant reimbursement will be deposited into revenue account 344-54-622-668-0000-000-000-483110.

CURRENT SITUATION AND ITS EFFECTS

This is the first of two related Council Reports pertaining to the Project, and both are scheduled for the same Council meeting in the following sequential order:

- Acceptance of Amendment to Grant Funding Agreement. This is necessary to secure the remaining construction funds for the Project.
- Contract Award for Construction Contract. This is required to enter into a construction contract with a contractor to perform the work of this Project.

The City and Caltrans currently have an executed funding agreement under Service Contract No. 75LX291 in the amount of \$310,500 for the construction of concrete sidewalk infill along Gilman Street at the Third Street railroad crossing. The amount of the funding agreement was established several years ago, prior to the start of the design phase. Since that time, detailed design has occurred culminating in a final design, and construction costs have escalated.

The project was bid on April 16, 2019, and the City received the lowest responsible responsive bid in the amount of \$328,464. That amount, plus a 15% contingency for unforeseen circumstances during construction, as well as to estimates for construction management, results in a total reimbursable construction cost of \$473,000, which exceeds the amount of the original funding agreement.

As a result, the City and Caltrans intend to execute an amendment to the Service Contract, which will increase the award from Caltrans to match the estimated construction cost and will extend the duration of the award to match the estimated construction schedule. This Council Report requests that Council accept an amendment to the funding agreement to increase the amount from \$310,500 to \$473,000 and authorize the City Manager to execute this amendment. Council's acceptance of this amendment will allow for the separate but related Council authorization to execute a contract for the construction of this Project.

The Gilman Railroad Pedestrian Crossing Safety Project is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

The sidewalks along Gilman Street at the Third Street railroad crossing end approximately 150 feet short of the boundaries of the crossing at the northeast, northwest, southeast, and southwest quadrants. Pedestrians traveling along Gilman Street must traverse an uneven, unpaved area to continue across the railroad tracks.

In May 2014, at the request of Union Pacific Railroad (UPRR), City staff met with Caltrans and UPRR staff at the Gilman Street/Third Street railroad intersection to evaluate potential pedestrian safety improvements. This evaluation led to a series of recommendations, including improved railroad crossing signals, improved street signage, and completion of the sidewalk along Gilman Street at this intersection. UPRR will install improved railroad crossing signals. The City has already installed improved street signage and intends to construct sections of concrete sidewalk to fill in existing gaps adjacent to the railroad tracks at this intersection.

On June 28, 2016, Council authorized the City Manager to accept an award of \$310,500 from Caltrans for design and construction of concrete sidewalk infill at the four quadrants described above. The award was formalized under Service Contract No. 75LX291, executed on February 28, 2017 between the City and Caltrans in the amount of \$310,500 for the construction of this Project.

As described above, the total estimated construction cost exceeds the funding amount. City staff have discussed this discrepancy with Caltrans, and as a result, the City and Caltrans intend to execute said amendment to the Service Contract.

ENVIRONMENTAL SUSTAINABILITY

In addition to improving pedestrian safety, completion of this Project is expected to reduce the amount of airborne road dust particles that currently result from foot traffic as pedestrians traverse the existing unpaved area.

RATIONALE FOR RECOMMENDATION

The City has a policy to infill sidewalk gaps. Further, the City has an opportunity to utilize a no-local-match-required Caltrans monetary award to complete the sidewalks at this railroad crossing.

ALTERNATIVE ACTIONS CONSIDERED

None. The amendment will increase the amount of funding for the Project.

CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works Department, (510) 981-7061
Kenneth Jung, Associate Civil Engineer, Public Works Department, (510) 981-7028

Attachments:

1: Resolution

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

ACCEPT AN AMENDMENT TO THE GRANT FUNDING AGREEMENT (SERVICE CONTRACT NO. 75LX291 WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION) TO INCREASE FUNDING TO \$473,000 AND EXTEND THE EXPIRATION DATE TO DECEMBER 31, 2020 FOR THE GILMAN RAILROAD PEDESTRIAN CROSSING SAFETY PROJECT

WHEREAS, the Gilman Railroad Pedestrian Crossing Safety Project will fill in gaps in the existing sidewalk along Gilman Street at the Third Street railroad crossing, in keeping with a City policy to fill in sidewalk gaps; and

WHEREAS, the City and the California Department of Transportation have executed Service Contract No. 75LX291, in which the California Department of Transportation agrees to reimburse the City of Berkeley up to \$310,500 for the construction of this Project; and

WHEREAS, the total estimated project cost is anticipated to exceed the amount of the aforementioned Service Contract; and

WHEREAS, the City and the California Department of Transportation intend to execute an amendment to the aforementioned Service Contract to increase the amount of funding to \$473,000 to cover the total estimated construction cost and extend the expiration date to December 21, 2020 to match the estimated construction schedule; and

WHEREAS, funding is subject to appropriation in the FY 2020 budget in the Caltrans Fund (Fund 344) and the grant reimbursement will be deposited into revenue account in the Caltrans Fund (Fund 344); and

WHEREAS, the contract has been entered into the Citywide contract database with Contract Management System (CMS) No. W4JZE.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the amendment to Service Contract No. 75LX291 between the City of Berkeley and the California Department of Transportation to increase grant funding to \$473,000 and extend the grant expiration date to December 31, 2020 has been accepted and that the City Manager is authorized to execute said amendment and any other associated necessary agreements.