

DATE: May 6, 2008

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Authorization for the City Manager to Execute a Professional Services Agreement for Final Design and Right-of-Way Acquisition Services for the Route 238 Corridor Improvement Project

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute a Professional Services Agreement with Mark Thomas & Company for the preparation of the Final Design and Right-of-Way Acquisition Services for the Route 238 Corridor Improvement Project in an amount not to exceed \$6,400,000.

BACKGROUND

On November 27, 2007, Council approved the Route 238 Corridor Improvement Project and certified the Final Environmental Impact Report (FEIR). The next step in the process is the Final Design and Right-of-Way acquisition, which will be consistent with the FEIR. On February 28, 2008, the Alameda County Transportation Authority (ACTA) approved an allocation of \$38.4 million in previously-approved Measure B funds for final design and right-of-way acquisition for the project.

As presented in previous reports, the Route 238 Corridor Improvement Project is located along Foothill Boulevard and Mission Boulevard between the northern City limits and Industrial Parkway. Major features of the project include a downtown one-way loop street system, peak hour travel lanes on Foothill Boulevard north of A Street and on Mission Boulevard from Foothill to Palisade Street, other roadway improvements along Foothill Boulevard and Mission Boulevard and improvements at major intersections, such as Foothill-Mission-Jackson and Mission Boulevard-Carlos Bee Boulevard, among others. In addition, the project includes pedestrian and bicycle improvements and landscaping enhancements along the entire Route 238 Corridor.

DISCUSSION

At the time the Request for Proposal (RFP) for the Project Study Report (PSR) for this project was first distributed several years ago, staff went through an extensive consultant selection process. The RFP was distributed to sixteen potential prime consultants and several potential sub-consultant

firms. Staff received seven proposals; four were selected for interviews with City staff, the City Manager, and Alameda County Transportation Authority (ACTA) staff. The following four firms and their associated teams were interviewed: Parsons-Brinckerhoff, URS, Parsons Transportation Group, and Mark Thomas & Company.

In the proposal and during the interview, the Mark Thomas & Company team displayed the clearest understanding of the project's goals and purpose. Consequently, based on its qualifications, this firm was selected for preparation of the PSR, which subsequently became a Preliminary Design Report.

It was intended that the selected consultant would continue with the other phases of the project, such as the environmental studies and final design, dependent upon how the project progressed and the quality of work that was received. Accordingly, before beginning the EIR phase, staff was directed to assess whether other consulting teams were interested in submitting proposals for the EIR. Only Mark Thomas & Company responded as being interested. It was believed the other viable consultants recognized the significant advantage to the City in continuing with a proven team. That significant advantage continues from a standpoint of knowledge of the project and related cost savings. Therefore, it is appropriate to continue with this firm. Additionally, ACTA staff is supportive of using this firm for the final design and right-of-way acquisition phase of the project.

Mark Thomas & Company has proven to be very knowledgeable about the project and has shown itself fully capable of handling continuous refinement and revisions to the project. Its understanding of the project, including project concepts, goals, and objectives, means there will be no learning curve needed and this firm may commence work immediately following the notice to proceed. This will result in a significant time savings and much more cost-effective use of resources. Even under the shortest timelines, Mark Thomas & Company has proven itself capable of delivering high quality work. Staff feels that the Mark Thomas & Company team assembled for this project is well-qualified to take on this phase of the project design through construction.

Mark Thomas & Company has provided a complete scope of design services that will be needed to construct the project. The tasks to be completed include field survey and right-of-way engineering; topographic utility surveys, right-of-way mapping, plats, and legal descriptions; geotechnical investigations; preparation of a traffic management plan; preparation of staged construction plans, traffic signals and interconnect plans; streetlighting plans, building removal plans and specifications, and landscape irrigation plans among other tasks. The tasks will lead to the preparation of 100 percent plans including an engineer's estimate, which can then be used to advertise the project.

Staff considers Mark Thomas and Company's level of effort and its proposed fee quite reasonable for this phase of the project. This team, as proposed, will meet ACTA's Local Business Enterprise/Small Local Business Enterprise goals. It is, therefore, recommended that Mark Thomas & Company be selected to perform the final design and right-of-way acquisition for this project.

FISCAL IMPACT

Mark Thomas & Company has submitted a proposal of \$6,400,000 for this phase of the project, which is appreciably lower and consistent with the budget allocations approved by ACTA. The not-to-exceed amount of \$6,400,000 includes \$5,700,000 for basic services and \$700,000 for additional services that might be needed. Since all of this phase of the work will be funded by Measure B, there will be no impact to the City's General Fund. In fact, there will be a savings to the General Fund, as staff time spent supporting the consultant will also be paid from Measure B funds and not from the General Fund.

PUBLIC CONTACT

A very extensive public outreach and information program on the Route 238 Corridor Improvement Project was conducted during development of both the PSR and the EIR, culminating with the public hearing before Council on November 27, 2007. Copies of the FEIR and all supporting documents remain available for public review at the Engineering and Transportation counter at City Hall and on the City's website.

Staff expects that the public information process will be continuous and ongoing. Since Council's approval of the project, staff has continued to meet with affected property owners and those potentially impacted by the project. Staff has met with the owners of the property at Mission Boulevard and A Street (formerly Zorn's Restaurant) and the owner of the La Patisserie Restaurant at the corner of Mission Boulevard and D Street – two properties that will be directly impacted by the project. Staff has also met with the staff at the St. Regis Facility to discuss changes in access to the facility that may result from the project. Staff is also meeting regularly with the auto dealers along Mission Boulevard to discuss potential improvements to public awareness and visibility of Auto Row. In addition, staff met with some of the members of the Downtown Business Improvement Area to receive their input on the ways in which disruption to their businesses can be minimized during construction. It should also be noted that staff answers questions on a regular basis from interested individuals and those potentially affected by the project.

SCHEDULE

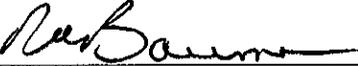
Design and right-of-way acquisition work may begin immediately upon execution of a professional services agreement. It is anticipated that this phase of the project can be completed within two years. This schedule is, of course, dependent upon the City's ability to acquire the necessary right-of-way. If the project continues to remain on schedule, construction may begin in mid-2010 and be completed by 2012.

Prepared by:



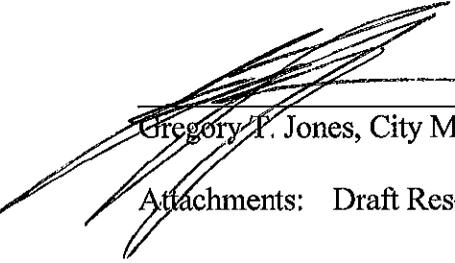
Morad Fakhrai, Deputy Dir. of Public Works

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Gregory T. Jones, City Manager

Attachments: Draft Resolution

