



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 1, 2020

TO: Christine Daniel, City Manager

FROM: Mary Grace Houlihan, Public Works Director

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Second Amendment To The Professional Services Agreement With Rio Grande Pacific Technology Inc. (Formerly Known As CTC, Inc.), For An Additional Amount Not To Exceed \$170,000 For Quiet Zone Safety Engineering Measures, For A Total Contract Amount Not To Exceed \$589,611.49 And Approving Assignment Of the Contract From CTC, Inc to Rio Grande Pacific Tech.**

RECOMMENDATION

Staff recommends that the City Council of the City of Emeryville adopt the above-entitled resolution.

BACKGROUND

On May 16, 2018, the California Transportation Commission (CTC) approved the 2018 Trade Corridor Enhancement Program Final Adopted Program of Projects. Included in this list of projects was the City's project, titled "Quiet Zone Safety Engineering Measures." The Project was officially approved in Resolution TCEP-P-1819-05B (October 17, 2018) and revised per Waiver 19-33 (June 26, 2019).

On September 17, 2018, the City Council passed Resolution 18-124, authorizing the City Manager to execute a Professional Services Agreement with CTC, Inc. for an amount not to exceed \$290,740.99 for the performance of project management, environmental analysis, preliminary engineering design, Plans, Specifications, and Estimates (PS&E), and bidding phase support services for the Quiet Zone Safety Engineering Measures on 65th, 66th, and 67th Streets Project. The agreement was executed on September 25, 2018.

A 1st Amendment Professional Services Contract (for an additional \$128,870.50) was executed on May 3, 2019 in order to modify the scope of the original Professional Services Agreement to add a closure analysis for two of the crossings in the project area. The closure study consisted of a transportation assessment evaluating bicycle, pedestrian, transit vehicle, and emergency vehicle travel through the project area. The evaluation focused on the effects to safety based on modifying the circulation patterns under the various scenarios for all modes (including emergency response times) which will also be compared to existing conditions.

In January of 2020, CTC Inc. was acquired by Rio Grande Pacific Technologies and is now doing business under the name Rio Grande Pacific Technology Inc.

DISCUSSION

Due to unforeseen staffing changes at UPRR and additional requests made by UPRR, the City's Plans, Specifications & Engineering (PS&E) phase extended beyond the time limit for the originally programmed project. The CTC approved a twelve (12) month extension at the June 2019 CTC Meeting to address these issues.

Additionally, due to delays statewide related to the COVID-19 emergency and varying levels of shelter-in-place directives, the CTC modified state funded transportation programs in April 2020 as follows. For the SB 1 TCEP program, the CTC made a new allowance of up to a 20-month total time extension for programmed projects. The Emeryville Quiet Zone project was previously granted a twelve (12) month extension in June 2019. Due to the delays that Emeryville, the City's consultants, and UPRR experienced and continue to experience under COVID-19 directives, the City made an Amendment Request asking for an additional eight (8) months of time extension to the CTC. The CTC granted this amendment to the City's existing Time Extension in June 2020.

With the impacts mentioned above, additional funding is required for this Professional Services Contract to complete the design, UPRR processing and project management of this project into the Construction Phase. These additional services are required to have the Project eligible for an E-76 (Approval for Construction) early 2021.

Staff recommends that it is in the best interest of the City to modify the scope of the Professional Services Agreement to add additional budget for design, revisions, and project management time. The attached 2nd Amendment Professional Services Contract reflects the additional work required to complete this expanded scope and time to get the project approved at CTC in early 2021.

FISCAL IMPACT

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|------------------------------|------------------------------|
| • \$290,740.99 | Original Contract |
| • \$128,870.50 | 1 st Amendment |
| • \$170,000.00 | 2 nd Amendment |
| • <u>\$589,611.49</u> | Total Contract Amount |

There is an adequate balance in CIP Project No. T-04 (Account 19475008-91900) in Fiscal Year 2020/2021 to include this second contract amendment.

STAFF COMMUNICATION WITH THE PUBLIC

There was no communication with the public about this item.

CONCLUSION

Staff recommends that it is in the public's interest for City Council to adopt the above-entitled resolution.

PREPARED BY: Ryan O'Connell, Senior Civil Engineer

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Attachment A – Original Contract
- Attachment B – 1st Amendment Contract
- Draft Resolution
 - 2nd Amendment Professional Services Contract
 - Exhibit A-2 – Scope of Work (2nd Amendment)