STAFF REPORT

MEETING DATE: September 12, 2017

TO: City Council

FROM: Christopher Blunk, Deputy Public Works Director/City Engineer

PRESENTER: Christopher Blunk, Deputy Public Works Director/City Engineer

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENT AMENDMENT WITH LSA ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES FOR THE NOVATO BOULEVARD IMPROVEMENTS PROJECT: DIABLO TO GRANT, CIP# 01-004 IN THE AMOUNT OF $137,351.00

REQUEST

Authorize the City Manager to sign an agreement amendment with LSA Associates, Inc. to provide engineering services for the Novato Boulevard Improvements Project: Diablo to Grant (CIP Project No. 01-004) in the amount of $137,351.00.

DISCUSSION

The Novato Boulevard Improvements project has been in the planning and environmental documentation phases for over ten years. This project will provide general improvements to Novato Blvd. between Diablo Avenue and Grant Avenue, including bicycle and pedestrian facilities, as well as operational improvements like turn lanes and modern signalized intersections at Novato Blvd/Diablo Avenue and Novato Blvd/7th - Tamalpais Ave.

In early 2015, the City contracted with LSA Associates, Inc. for environmental consulting services to assist with the Novato Boulevard Improvements project. LSA Associates, Inc. has since worked to prepare the draft environmental documentation, study build alternatives, and provide other preliminary project development services. Recently, the City contracted with AECOM, Inc. to further develop the existing build alternatives, provide engineering support during the environmental documentation process, provide project management services, and develop the project cost estimate and schedule. There have been several project scope changes during the last ten years, as well as priority shifts in the Capital Improvement Program that resulted in the environmental study work being delayed. Staff is now recommending executing an agreement amendment with LSA Associates, Inc. to continue preparation of the Environmental Impact report (EIR) for this project. Staff is requesting council approval for a contract amendment with LSA Associates, Inc. in the amount of $137,351 to update their rates, provide project management support, perform cultural resource research, review the previous traffic study and perform additional traffic engineering analyses, and update the draft EIR accordingly.
This project is fully funded with development impact fees and county Measure A transportation sales taxes. The original 2015 agreement with LSA was in the amount of $121,971. The agreement amendment is valued at $137,351, which would bring the total LSA agreement amount to $259,322.

**FISCAL IMPACT**

The project is included in the City of Novato Adopted Capital Improvement Program Budget for 2017/2018, with $13.9M dollars allocated for total project costs. Funding sources are Measure A, gas taxes, Development Impact Fees, and Transportation, Drainage & Utilities (TDU) fees.

Total project expenditures to date are $1,197,853, including $454,558, that has been spent to acquire parcels along the project corridor, but not including the recent $165,614 AECOM, Inc. agreement or the proposed LSA Agreement Amendment in the amount of $137,351.

**PUBLIC OUTREACH**

Because this project has been in the development phase for so long, residents have seen various iterations of proposed build alternatives but have not received ongoing informational updates. Public Works intends to prepare and implement a community outreach plan as we work with LSA Associates, Inc. and AECOM, Inc. to complete the build alternatives, associated technical studies, and prepare to circulate the draft EIR. This plan will identify milestones in the remainder of the environmental phase and future high-level design phase where the public can review preliminary plans, comment, and provide input. The goal is for the community to help ensure that we develop a project that meets the needs and expectations of the city while minimizing impacts to the adjacent residents, businesses, and environment.

**RECOMMENDATION**

Authorize the City Manager to sign the amendment agreement with LSA Associates, Inc. to provide engineering services for the Novato Boulevard Improvements Project: Diablo to Grant (CIP project No. 01-004) in the amount of $137,351.

**ALTERNATIVE**

1. Do not authorize the City Manager to sign the Agreement Amendment, and provide staff with direction.

**ATTACHMENT**

1. LSA Associates, Inc. Agreement Amendment
AMENDMENT TO AGREEMENT

This Amendment to Agreement # 4644 is entered into as of this ___ day of __________, 2017 by and between the CITY OF NOVATO, a municipal corporation, hereinafter called “City” and LSA ASSOCIATES, INC, hereinafter called “Consultant” or “Contractor.”

RECITALS

WHEREAS, the City and Consultant/Contractor entered into Agreement # 4644 dated July 1, 2015; and

WHEREAS, the parties desire to amend that Agreement;

AGREEMENTS

NOW, THEREFORE, Agreement # 4644 is hereby amended as set forth herein.

Paragraph 4 is amended to read:

“……and incorporated herein by this reference, but not to exceed the maximum contract amount of two hundred and fifty nine thousand, three hundred twenty two ($259,322) Dollars. Contractor shall render all services and do all things required under the terms and conditions of this Agreement subject to the “not to exceed” amount of $259,322.”

Paragraph 5A is amended to read:

“Contractor will limit its project expenditures to the not to exceed amount of $259,322 and terminate work…”

Paragraph B3 is amended to read:

“Invoices shall be prepared and submitted to the City at the following address: City of Novato, Attention: Christopher Blunk, 922 Machin Avenue, Novato, CA 94945.”

Exhibit E, E1 is amended to read:

“The project will be managed by two senior-level project managers with tested experience managing large-scale project- and program-level documents. Judith Malamut will be the Principal-in-Charge, and either Steven Ross, Associate or Kyle Simpsons, Associate will be the Project Manager, depending on LSA staffing levels when we are under contract and begin work on the project. Judith will provide input on scope, budget, and scheduling of the project, and quality assurance for all work undertaken. She will review all subconsultant submittals and in-house prepared text, tables, and graphics before these materials are presented to the project team as administrative review documents. Judith will be available for consultation on CEQA procedural matters as well as application of the CEQA Guidelines to this project. Matt Kawashima, Planner, will provide research and writing assistance…..”

LSA Agreement Amendment
9/5/17
Exhibit F, Scope of Work for Agreement Amendment, has been added.

    All other terms and conditions of said Agreement # 4644 shall remain the same.

    IN WITNESS WHEREOF, the City and the Consultant/Contractor have executed this Amendment as of the date first above written.

__________________________________
City

__________________________________
Consultant
EXHIBIT F

SCOPE OF WORK FOR AGREEMENT AMENDMENT

Project Management. Additional project management time is required and exceeds what was originally anticipated in our December 2014 scope of work primarily to coordinate and address the substantial delays in the project, delays in getting project information, and the need to coordinate with W-Trans. When project schedules are substantially delayed, as has been the case for this project, it is not unusual for project management time to exceed the amount anticipated. Given the length of time this project has been active, LSA is requesting additional budget for project management as well as time to manage the project to the end. In addition, LSA will spend additional time coordinating with the City’s technical consultants regarding the project. Further, we understand that an outside consultant will be brought in to manage the project on behalf of the City, we also anticipate participating in additional meetings or calls to bring that consultant up to date and discuss the project going forward. This task also includes the costs associated with preparation of this augment request.

Cultural Resources EIR Section. A careful review of the cultural resources reports provided to LSA by the City revealed that while the background reports prepared for the project provide a wealth of pertinent background information, they lacked impact conclusions and failed to propose avoidance/mitigation measures. Therefore, more work is required by LSA to complete a thorough and conclusory analysis of project impacts to cultural resources than was apparent at the time of our 2014 proposal. Additional labor hours for this task include time to assist with responses to comments on the Draft EIR.

LSA Efforts to Review Previous Traffic Reports and Prepare an EIR Traffic Section. Costs associated with this task are for LSA time collaborating with the City and W-Trans to recommend revisions to the Traffic Technical Report (TTR) prepared for the project. This task also includes additional time for preparation of the Administrative Draft Traffic and Transportation EIR section. Per discussions with the City and W-Trans, the 2014/2015 traffic analyses and especially the operational analyses have been determined to be out of date at this time and will need to be reviewed and revised by W-Trans per their attached scope of work.

Compliance with AB 52 and Preparation of the IS Tribal Cultural Resources Section. Assembly Bill 52 (AB 52), which became law January 1, 2015, now requires that local agencies formally consult with recognized California Native American Tribes during the CEQA process. Prior to release of a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report for a project, a lead agency must provide tribes that are traditionally and culturally affiliated with the geographic area of a project the opportunity to consult, if requested in writing within 30 days of receipt of the formal notification of the opportunity to consult. Pursuant to the AB 52 provisions, and to complete the Tribal Cultural Resources portion of the Initial Study, on behalf of the City,1 LSA will conduct the following tasks:

1. Request from the NAHC a contact list of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project;  
2. Provide a template letter for mailing on official City letterhead to designated tribal representatives describing the proposed project and providing a formal notification of the 30-day opportunity to request consultation.
This task does not include time for any consultation with a tribe if so requested. LSA will coordinate with the City should that be the case and determine the next steps.

**Update Previously Prepared IS and Draft EIR Chapters and Sections.** Due to the time the project has been on hold, changes to the project description, the current status of the Public Review General Plan 2035 (published in August 2016), the revised EIR transportation analysis, and 2017 conditions, LSA and Baseline staff will need to update the previously prepared (2015) draft Initial Study sections, draft EIR Project Description, topical sections (i.e., Land Use, Population, Air Quality, Noise, Cultural Resources, Biological Resources, Hydrology, Utilities and Service Systems), and the Alternatives chapter. As part of this update, in the regulatory portion of each EIR section, LSA will include a discussion of any relevant policy changes proposed as part of the General Plan 2035.

**Draft EIR Traffic and Circulation Section.** As identified in their attached scope of services, WTrans will review previous reports, and will revise and complete a series of tasks to assist the City in revisiting potential options for configuration of the corridor, identifying a new preferred alternative to evaluate in the Draft EIR, preparing the Draft EIR Transportation and Circulation section and responses to comments on that section per their scope of services in Attachment A.

**Preparation of the Administrative CEQA Record.** LSA will compile and maintain an administrative record for the EIR, in accordance with CEQA and City guidance. The administrative record will include a matrix listing all publicly accessible environmental review documents and reports cited and used in preparation of the EIR. A hard copy (in binders) and an electronic copy of the administrative record will be submitted to the City with the Public Review Draft EIR. The administrative record will be updated as necessary prior to publication of the Final EIR.

---

1 Please note that LSA will make the initial contact with the tribes on behalf of the City and will assist with, but cannot wholly assume, the formal government-to-government consultative responsibilities during the consultation. The City must remain the lead in this regard.
Revised Proposal to Prepare the Transportation and Circulation Section of the Novato Boulevard Improvements Project EIR

Dear Ms. Malamut:

W-Trans is pleased to provide this revised proposal to prepare an update of the Transportation and Circulation EIR section associated with the proposed improvements to Novato Boulevard in the City of Novato. This revision includes additional tasks associated with revisiting potential options for configuration of the corridor and assisting the City in identifying a preferred alternative.

Understanding

The transportation and circulation analysis for the Novato Boulevard Improvements Project EIR was previously prepared in 2014 and 2015. Given that the project has been on hold for over a year, the time lapse since the analysis was completed, the fact that it went back and forth between W-Trans and another traffic consultant, and potential changes to the project being considered by the City, it is now necessary for completion of an adequate CEQA document to bring the analysis up to date with current 2017 information.

Study Area and Periods

The study area will consist of the Novato Boulevard roadway segment between Grant Avenue and Diablo Avenue, as well as the following intersections. Conditions during the weekday a.m. and p.m. peak periods will be documented.

1. Novato Boulevard/Grant Avenue
2. Novato Boulevard/7th Street-Tamalpais Avenue
3. Novato Boulevard/Boulevard Terrace
4. Novato Boulevard/Los Alondras Ct North
5. Novato Boulevard/Los Alondras Ct South
6. Novato Boulevard/Cypress Avenue
7. Novato Boulevard/Pine Avenue
8. Novato Boulevard/Diablo Avenue

The traffic study will include the following scenarios:

1. Existing Conditions
2. Existing plus Project Conditions
3. Future (Long Term) Conditions
4. Future plus Project Conditions

Tasks

Project Initiation/Data Collection

1. W-Trans attended a kickoff meeting for the project design with City Staff and AECOM on April 25, 2017, to
discuss the project and brainstorm potential modifications to the project design.

2. New a.m. and p.m. peak hour data will be obtained at all eight study intersections, including vehicle, pedestrian, and bicycle counts. Roadway segment 24-hour counts will also be obtained at two locations on Novato Boulevard within the corridor for a full seven-day period. Travel time surveys on Novato Boulevard will be completed on the corridor between Grant Avenue and Diablo Avenue, using the same boundaries as used in prior efforts including the travel time runs completed by the City in 2010.

“No Project” Traffic Operation

3. Existing LOS on the Novato Boulevard study corridor and at the study intersections will be documented based on the newly-collected traffic data. The traffic volumes and existing operation will be used as the basis for testing potential design options for the corridor, and will be carried forth to the EIR traffic analysis.

4. Future year 2035 operating conditions (no project) will be analyzed and presented based on the Citywide growth estimates as contained in the TRAFFIX model maintained by W-Trans, and will include regional growth from unincorporated Marin County, as appropriate, based on output from the TAM countywide traffic model. Future traffic projections from the General Plan Update analysis will be used if they are available within the timeframe needed for the analysis.

Preferred Alternative Assistance

5. A series of operational analyses will be conducted, assessing different layout options focusing primarily on the number of lanes on Novato Boulevard as well as the configuration of turn lanes at signalized intersections. The analyses will focus on future (year 2035) peak hour operation, but will also qualitatively consider daily traffic volume patterns including whether congestion would be most likely to occur only during short periods or if it could occur throughout the day and weekend. Potential configuration scenarios will be tested in Synchro and Simtraffic to assess LOS, queuing, and bottlenecks, and to gauge the potential differences in average vehicular travel speeds along the corridor.

6. Based on the results of this evaluation, W-Trans will prepare a brief memorandum summarizing the results of the analysis along with a recommendation on signalized intersection configurations and the configuration of lanes on Novato Boulevard that should be included in the preferred design.

7. Upon gaining concurrence from the City on the general configuration of lanes on Novato Boulevard, testing of different configurations at the unsignalized intersections along the corridor will commence. The evaluation will consider the availability and adequacy of turn pockets for inbound movements, the ability to make outbound movements (particularly left-turns) from side streets, the potential for conflicts to occur at offset intersections, and implications to local access and convenience for residents living on the affected streets. W-Trans will identify one to two overall access schemes focusing on side street access to and from Novato Boulevard, and prepare a brief memorandum summarizing the findings, including a hand sketch of turn lane and median locations if appropriate.

8. Potential options for incorporating pedestrian and bicycle facilities along the Novato Boulevard corridor will be identified. For bicycle circulation options may include on-street bicycle lanes, protected bikeways, buffered bike lanes, and a parallel off-street pathway. For pedestrians options will include sidewalks or a combination of sidewalk and path. Potential measures to be incorporated along the corridor to enhance pedestrian and bicyclist safety and ease of mobility at intersections and crossings will be identified.

9. A brief memo summarizing the results of the local access analysis, as well as pedestrian and bicycle assessment, will be submitted to the City and design team.
10. W-Trans will attend a meeting with City Staff, AECOM, and LSA to discuss the potential circulation and access options for the corridor, and assist in identifying a preferred design scheme.

11. W-Trans will provide up to eight hours of assistance with operational analysis of design elements (such as queuing and turn pocket length requirements) as City Staff and AECOM prepare design plans for the project.

Circulation Analysis

12. The previously completed EIR sections will be reviewed and updated to ensure the EIR section is adequate and complete (i.e., review of existing conditions and impacts and mitigation measures for: vehicle queuing, left-turn access, traffic safety, on-street parking, transit network, bicycle and pedestrian facilities, emergency access, and regulatory framework including identification of relevant Existing and Draft General Plan Update policies).

13. Detailed analysis of the preferred alternative will commence once the project description and preliminary designs have been completed. Results of the analysis will include levels of service for each intersection, queuing on critical approaches to each study intersection, and average travel speed in each direction for the corridor. Queuing and average travel speed projections will be obtained using the Simtraffic simulation software, which in addition to operational considerations takes driver decision-based factors such as lane preference into account.

14. Collision records for the study segment of Novato Boulevard will be reviewed for any trends or patterns, and the segment collision rate calculated. Special attention will be paid to collisions that could be alleviated by modifying the roadway's configuration.

15. The potential for the project to affect vehicle miles traveled (VMT) in Novato will be assessed. Based on guidance from the Governor’s Office of Planning and Research (OPR), the relatively small scope of this project would be unlikely to induce travel and create additional VMT, particularly if no through traffic lanes are added and new pedestrian/bicycle facilities are created, which is assumed to be the case for this segment of Novato Boulevard. If citywide VMT is needed for the analysis, data from MTC for current conditions as well as future projections available from Plan Bay Area will be referenced.

Alternatives Analysis

16. In support of the EIR alternatives analysis to be prepared by LSA, W-Trans will assist in providing transportation and circulation analyses of up to 3 alternatives, including the No Project alternative and up to two alternatives as directed by the City, potentially including the four-lane widening project considered in prior years.

EIR Preparation

17. It is anticipated that an Administrative Draft EIR Transportation and Circulation section with an updated operations section will be prepared in a format to be provided by LSA. Appropriate figures, tables, and supporting appendices will be included.

18. An internal team review and response to comments is assumed prior to submittal of the Administrative Draft EIR to the City.

19. City Staff comments will be addressed in order to issue a Screencheck Draft EIR, and final round of comments will be responded to for preparation of the Public Review Draft EIR. Only an electronic version will be provided.
20. W-Trans will prepare responses to comments on the Draft EIR up to a maximum of the 16 staff hours allocated for this effort. Because the nature of any public comments is speculative, we have made certain assumptions about the level of effort for the Administrative Response to Comments (RTC) document, Screen-check RTC and Final RTC.

**Meetings/Hearings**

21. The project manager will be available to attend up to four meetings or hearings in the City of Novato. A total of 24 hours are assumed for the four meetings or hearings (including travel time).

**Exclusions** – The scope of services includes only those items that are specifically identified above. Any additional services, such as requests for further analysis or multiple rounds of comments, if needed would be provided on a time and materials basis after receiving written authorization for the extra work.

**Schedule and Budget**

Based on discussions with the City at the April 25, 2017 kickoff meeting, W-Trans has already scheduled data collection so that all data can be obtained before schools adjourn for summer break. Tasks associated with identifying the preferred design alternative will be influenced by all team members (including the City and AECOM) though it is estimated that the first set of operational analyses (focusing on the number of lanes) can be completed within four weeks following receipt of the signed contract. The next round of evaluation (focusing on minor intersections, local access, and pedestrian/bicycle circulation) could be completed approximately three weeks after the City selects the overall lane configuration scheme. The administrative draft circulation section for the EIR could be completed approximately six to ten weeks following receipt of the final project description and schematic corridor design plans.

Our services will be conducted on a time and materials basis at the rates indicated on the enclosed sheet. Monthly invoices will be provided electronically unless a hard copy via mail is requested. The not-to-exceed fee for this work is $53,720, as indicated on the enclosed Fee Estimate. Work on items outside the limits of this scope may require additional time and budget, and will only be commenced upon receiving authorization from the City of Novato.

Please provide contract documents for my signature if you wish to initiate work. This proposal will remain a firm offer for 90 days from the date of this letter. Thank you for giving us the opportunity to propose on these services.

*Sincerely*  

[Signature]

Zachary Matley, AICP  
Associate Principal

JZM/djw/NOV056.DEIR.P2-3

Enclosure: Fee Estimate
## HOURS BY STAFF MEMBER

<table>
<thead>
<tr>
<th>Task</th>
<th>Dalene Whitlock</th>
<th>Zack Matley</th>
<th>Lauren Davini</th>
<th>Ass’t Eng’r</th>
<th>Tech/Admin</th>
<th>Misc</th>
<th>Total Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Initiation/Data Collection</td>
<td>8</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>5</td>
<td>$3,845</td>
<td>37</td>
</tr>
<tr>
<td>&quot;No Project&quot; Traffic Operation</td>
<td>2</td>
<td>6</td>
<td>4</td>
<td>10</td>
<td>1</td>
<td>$0</td>
<td>23</td>
</tr>
<tr>
<td>Preferred Alternative Assistance</td>
<td>7</td>
<td>24</td>
<td>19</td>
<td>24</td>
<td>2</td>
<td>$45</td>
<td>76</td>
</tr>
<tr>
<td>Circulation Analysis</td>
<td>4</td>
<td>15</td>
<td>23</td>
<td>22</td>
<td>1</td>
<td>$80</td>
<td>65</td>
</tr>
<tr>
<td>Alternatives Analysis</td>
<td>2</td>
<td>6</td>
<td>7</td>
<td>7</td>
<td>0</td>
<td>$0</td>
<td>22</td>
</tr>
<tr>
<td>EIR Preparation</td>
<td>17</td>
<td>8</td>
<td>9</td>
<td>23</td>
<td>23</td>
<td>$0</td>
<td>80</td>
</tr>
<tr>
<td>Meetings/Hearings/Project Management</td>
<td>22</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$240</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>62</td>
<td>78</td>
<td>62</td>
<td>98</td>
<td>32</td>
<td>$4,210</td>
<td>332</td>
</tr>
</tbody>
</table>

## FEE AT HOURLY RATES INDICATED

<table>
<thead>
<tr>
<th>Task</th>
<th>$250</th>
<th>$190</th>
<th>$105</th>
<th>$100</th>
<th>$90</th>
<th>LS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Initiation/Data Collection</td>
<td>$2,000</td>
<td>$2,280</td>
<td>0</td>
<td>$1,200</td>
<td>$450</td>
<td>$3,845</td>
<td>$9,775</td>
</tr>
<tr>
<td>&quot;No Project&quot; Traffic Operation</td>
<td>$500</td>
<td>$1,140</td>
<td>$420</td>
<td>$1,000</td>
<td>$90</td>
<td>$0</td>
<td>$3,150</td>
</tr>
<tr>
<td>Preferred Alternative Assistance</td>
<td>$1,750</td>
<td>$4,560</td>
<td>$1,995</td>
<td>$2,400</td>
<td>$180</td>
<td>$45</td>
<td>$10,930</td>
</tr>
<tr>
<td>Circulation Analysis</td>
<td>$1,000</td>
<td>$2,850</td>
<td>$2,415</td>
<td>$2,200</td>
<td>$90</td>
<td>$80</td>
<td>$8,635</td>
</tr>
<tr>
<td>Alternatives Analysis</td>
<td>$500</td>
<td>$1,140</td>
<td>$735</td>
<td>$700</td>
<td>$0</td>
<td>$0</td>
<td>$3,075</td>
</tr>
<tr>
<td>EIR Preparation</td>
<td>$4,250</td>
<td>$1,520</td>
<td>$945</td>
<td>$2,300</td>
<td>$2,070</td>
<td>$0</td>
<td>$11,085</td>
</tr>
<tr>
<td>Meetings/Hearings/Project Management</td>
<td>$5,500</td>
<td>$1,330</td>
<td>0</td>
<td>0</td>
<td>$240</td>
<td>$0</td>
<td>$7,070</td>
</tr>
<tr>
<td></td>
<td>$15,500</td>
<td>$14,820</td>
<td>$6,510</td>
<td>$9,800</td>
<td>$2,880</td>
<td>$4,210</td>
<td>$53,720</td>
</tr>
</tbody>
</table>