



# Agenda Report

**MEETING DATE:** Tuesday, March 9, 2021

**TO:** City Council

**FROM:** PUBLIC WORKS & UTILITIES DIRECTOR PALMISANO  
Murray Fontes, Principal Engineer

**SUBJECT:** CONTRACT AMENDMENTS #2 AND #3 WITH HARRIS &  
ASSOCIATES, INC. FOR ASSISTANCE WITH PERMITTING FOR  
THE RAIL TRAIL PROJECT IN A TOTAL AMOUNT OF \$28,776

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## **STATEMENT OF ISSUES:**

Revisions are required to the rail crossing permit applications being prepared and submitted to the California Public Utility Commission for the City's Rail Trail project.

## **RECOMMENDED ACTION:**

It is recommended that the City Council adopt a resolution approving two contract amendments for assistance with permitting for the Rail Trail project totaling \$28,776, including:

Contract Amendments #2 for a not to exceed amount of \$13,992.00;

Contract Amendments #3 for a not to exceed amount of \$14,784.00.

## **DISCUSSION:**

On May 23, 2018, Council approved Resolution No. 76-18 (CM) and an agreement with Harris & Associates, Inc. to assist with preparation of design and construction documents for the portion of the Rail Trail that is from Lee Road to Walker Street in a not to exceed amount of \$121,665.00. The First Amendment to the contract was approved on December 11, 2019, increasing the total contract amount to \$329,110.00 and extending the completion date to June 30, 2022. This Amendment called for Harris and their subconsultant, RRM Design Group, to assist the City with securing permits for railroad crossings from the California Public Utilities Commission (CPUC) for later phases of the project.

Staff identified two new railroad crossings that will be built with future phases of the project. One will be near Lee Road and part of Phase 2 which is from Lee Road to Ohlone Parkway. The other is near Walker Street and part of Phase 3 which is from the Watsonville Slough Trail trailhead to Walker Street. Subsequent to approval of the First Amendment, additional CPUC requirements were identified that were not included in the scope of work. One, which is addressed in the Second Amendment, called for preparation of a trail profile and statement of why a grade separated crossing is not warranted. The

other, which is addressed in the Third Amendment, called for preparation of an Environmental and Social Justice Action Plan compliance analysis. Rincon Consultants, Inc. is also helping the City prepare the Action Plan analysis and working under a different contract.

After the CPUC receives and accepts all of the required documentation, they may take up to 18 months to review and approve the permit. City staff plans to construct Phase 2 in 2023. The schedule for Phase 3 is unknown as property needs to be acquired and the owner has postponed discussions because of the pandemic.

The cost of this work will be paid for with funds transferred from the Measure D Trail Maintenance Account Number 0312-927-7837-14321.

**STRATEGIC PLAN:**

The project is consistent with the following Strategic Plan goal:  
03-Infrastructure & Environment

**FINANCIAL IMPACT:**

The cost of the amendment will be \$28,776. It will be paid with funds transferred from the Measure D Trail Maintenance Account Number 0312-927-7837-14321 to the Project Account Number 0312-927-7837-14309.

**ALTERNATIVE ACTION**

No reasonable alternatives are known at this time.

**ATTACHMENTS AND/OR REFERENCES (If any):**

1. Segment 18 Trail Map