

**AGENDA:** September 01, 2022

**TO:** Regional Transportation Commission

**FROM:** Sarah Christensen P.E.

**RE:** Highway 1 Auxiliary Lanes and Bus on Shoulder from State Park Drive to Freedom Boulevard and Coastal Rail Trail Segment 12 Project Contract Amendment with Mark Thomas & Company, Inc. for the Final Design Phase

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC) approve the attached resolution ([Attachment 1](#)) authorizing Amendment 1 to the professional engineering services contract with Mark Thomas & Company, Inc. (TP2122) for the Plans, Specifications and Estimates (PS&E) component (final design) of the Highway 1 Auxiliary Lanes and Bus on Shoulders from State Park Drive to Freedom Boulevard and Coastal Rail Trail Segment 12 Project.

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## **BACKGROUND**

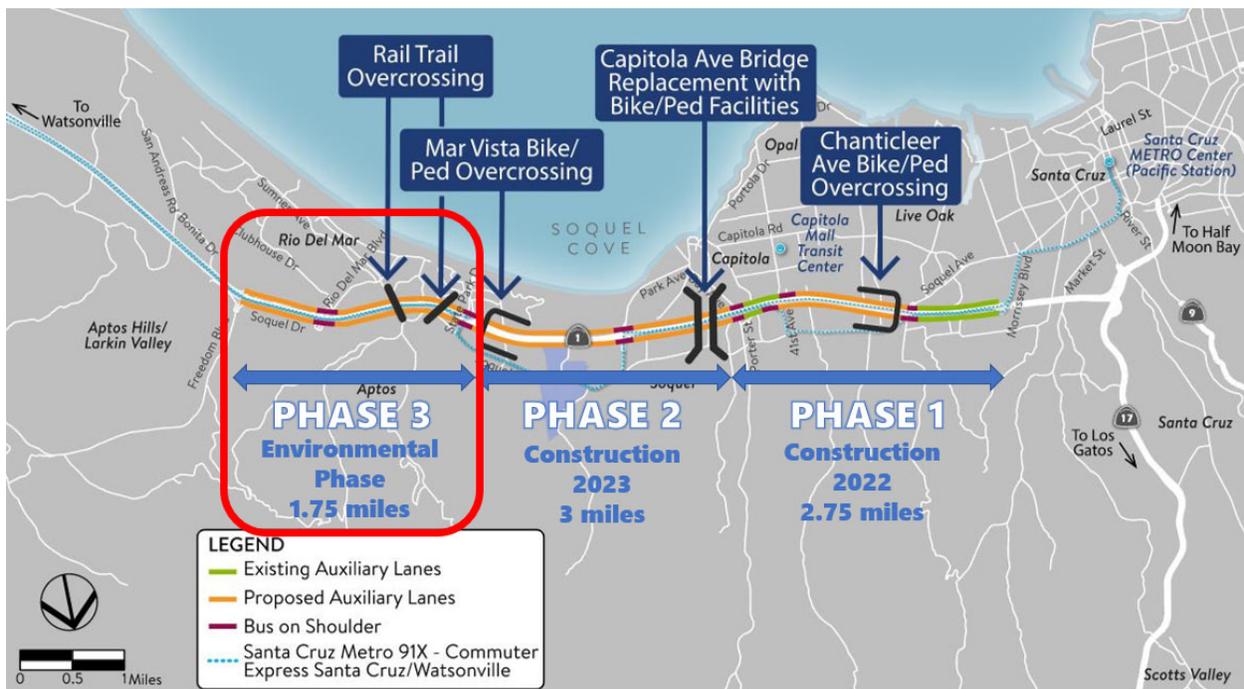
In 2020, the RTC entered into Cooperative Agreement with Caltrans for the Project Approval & Environmental Document (PA/ED) component of the Highway 1 Auxiliary Lanes and Bus on Shoulders between State Park Drive and Freedom Boulevard Interchanges and Coastal Rail Trail Segment 12 project (Project).

In February of 2020 the Commission adopted the Measure D Strategic Implementation Plan (SIP) which included a delivery strategy for the Highway 1 Auxiliary Lanes and Bus on Shoulders projects. The Commission approved an amendment to the Measure D Expenditure Plan to explicitly include Auxiliary Lanes and Bus on Shoulder improvements between State Park Drive and Freedom Boulevard interchanges. A map showing the project location is included as Figure 1.

In April of 2021, the RTC issued a Request for Proposals (RFP) to procure an engineering consultant to prepare the preliminary engineering and environmental documentation for the project. The RFP included a provision to retain the successful firm for final design, at the option of the RTC. The contract (TP2122) was awarded to Mark Thomas & Company, Inc. with an

original contract value of \$2.08M. Mark Thomas & Company, Inc. was awarded this contract by the Commission in June of 2021 because they were determined to be the most qualified engineering firm to perform design work on this project by the selection panel.

In May of 2022 the Commission programmed the local match for the upcoming cycle 3 of Senate Bill 1 (SB1) Solutions to Congested Corridors (SCCP) and Local Partnership Program (LPP) grant opportunities. The programming action included a total of \$89.7M in Measure D-Highway Corridors category funds and \$12.6M in Measure D-Active Transportation category funds.



**Figure 1** - The Phase 3 project includes auxiliary lanes and bus on shoulder improvements between the State Park Drive and Freedom Boulevard interchanges, widening of the Highway 1 bridge over Aptos Creek & Spreckles Drive, reconstruction of North Aptos & South Aptos Railroad Underpasses, and Segment 12 of the Coastal Rail Trail along the Santa Cruz Branch Rail Line between State Park Drive and just south of the Rio del Mar Boulevard Overhead structure.

## DISCUSSION

The Project Approval and Environmental Document (PA/ED) component of the Project is on-going. This project proposes to construct northbound and southbound auxiliary lanes between the State Park Drive and Freedom Boulevard interchanges on Highway 1, extend the bus on shoulder facility by 2.5 miles, widen the Highway 1 bridge over Aptos Creek and Spreckles Drive, reconstruct North Aptos & South Aptos Railroad Underpasses,

construct drainage facilities, and construct retaining walls and soundwalls. The project also includes the construction of an approximate 1.25-mile-long segment of the Coastal Rail Trail (Segment 12) along the Santa Cruz Branch Rail Line between State Park Drive and just south of the Rio del Mar overhead structure.

The total cost for the project is estimated to be approximately \$198M (capital and support). The PA/ED component, including the consultant contract for the preliminary engineering and environmental analysis, is funded by SB1-LPP-F and Measure D-Highway Program funds. The PS&E component of this project is funded by previously programmed Regional Surface Transportation Program Exchange (RSTPX), State Transportation Improvement Program (STIP), and Measure D-Highway funds. Staff plans to include this project in the RTC's applications for Cycle 3 of SB1 competitive programs, which would potentially fully fund construction of this project. If successful, construction could begin as early as 2025, pending availability of funds.

As noted earlier, the RTC awarded a consultant contract to Mark Thomas & Company (TP2122) to complete the Project Approval and Environmental Document (PAED) phase of the project. Since that time, the consultant completed work on the traffic studies, geometric design of the proposed improvements, and completed environmental technical studies. The Draft Environmental Impact Report/Environmental Assessment (EIR/EA) is scheduled to be released in October of 2022 and be completed in April of 2023.

Staff has discussed with Caltrans who should be the implementing agency for the Plans, Specifications and Estimates (PS&E) of this project and agreed that it was appropriate for the RTC to implement this work. The reason for this recommendation includes that Caltrans not having resources available for design, and there is value (both economic and for overall schedule) in having the same consultant for preliminary engineering and environmental analysis continue with final design. There are also benefits to the project schedule because RTC has the ability to advance the PS&E phase while Caltrans does not. Therefore, staff recommends the RTC serve as the implementing agency for the PS&E component of the project.

Staff recommends advancing the final design work of this project concurrent with the environmental work to save 6 to 8 months on the overall schedule and have the project construction-ready sooner. The project's final design will take approximately 2 years and beginning the final design now would demonstrate project readiness for future grant opportunities and allow for the project to start construction as early as 2025.

The scope of services and cost proposal of \$~~9,163,348~~9,998,225 for the PS&E component are included as Attachment 3. Staff has reviewed the estimate and finds it to be fair and reasonable, based on the nature and complexity of the work. Staff recommends amending the consultant contract rather than re-procuring, because the consultant is qualified to perform the final design work and has been performing well under the existing contract. Procuring a new consultant would result in schedule delay due to procurement period and would result in a loss of institutional knowledge on the project. Therefore, **staff recommends the Commission approve the attached resolution (Attachment 1) authorizing the Executive Director to negotiate and execute Amendment 1 to the contract with Mark Thomas & Company, Inc. (TP2122) for an amendment amount not to exceed \$9,998,225 ~~9,163,348~~ for final design services, a total contract value not to exceed \$~~11,244,187~~12,079,064, and a term ending on December 31, 2028, subject to the final negotiations and review by legal counsel as to form.**

## **FISCAL IMPACT**

There are no new fiscal impacts associated with this contract amendment. This project's final design work was previously programmed with a combination RSTPX, STIP and Measure D- Highway category funds, as programmed by the at previous RTC meetings. The Measure D Cash Flow Model shows sufficient capacity in the Measure D Highway category to fund this contract amendment, without issuing revenue bonds.

## **NEXT STEPS**

### **Cooperative Agreement with Caltrans**

A Cooperative Agreement with Caltrans for the PS&E phase of the project will be needed, to memorialize the roles and responsibilities of each agency and designate RTC as the implementing agency, with Caltrans providing oversight. Caltrans is preparing the cooperative agreement and staff plans to return to the Commission at a subsequent meeting to recommend approval to enter into the Cooperative Agreement. Since RTC will primarily be using local funding to advance PS&E, RTC can advance PS&E, prior to final execution of the Cooperative Agreement.

## **SUMMARY**

RTC staff recommends amending the professional engineering services agreement (TP2122) with Mark Thomas & Company, Inc. for the final design

work for the Highway 1 Auxiliary Lanes and Bus on Shoulder Project between State Park Drive and Freedom Boulevard interchanges and Coastal Rail Trail Segment 12 Project.

**ATTACHMENTS**

1. Resolution
2. Draft Scope of Services, Cost Proposal, and Schedule

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