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Title: Consideration of a Cost Sharing Agreement with the County of Santa Clara for Widening Improvements on San Tomas Expressway

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Attachments: 1. 2011 Agenda Report and Agreement, 2. Agreement

Date	Ver.	Action By	Action	Result
6/12/2018	1	City Council and Authorities Concurrent	Approved	

REPORT TO COUNCIL

SUBJECT

Consideration of a Cost Sharing Agreement with the County of Santa Clara for Widening Improvements on San Tomas Expressway

BACKGROUND

On March 15, 2011, the City Council approved a cost sharing agreement (Attachment 1) with the County of Santa Clara for widening San Tomas Expressway from 6 lanes to 8 lanes from El Camino Real to Homestead Road, the continuation of the San Tomas Aquino Creek Spur Trail, construction of a sidewalk along the east side, and upgrades to the privacy fences separating the residential homes from the expressway. Widening the expressway in this location removes a significant choke point allowing traffic to flow smoother with improved travel times which reduce incentives for commute traffic to use parallel local residential streets.

Per the terms of the agreement, the County is the lead agency on the project and is responsible for preparing plans and specifications, obtaining environmental clearances, advertising the project for construction, performing construction administration and inspections, and obtaining all required permits. The City is responsible for providing funding assistance for the project through funds collected from development fair share transportation mitigation and regional traffic impact fees. The original agreement estimated that design and preconstruction right of way work would cost approximately \$3.6M with the City contributing \$1.2M, \$1.5M coming from the remainder of the 1996 Measure B program, and \$0.9M from VTA. Construction costs were originally estimated to be \$10.5M with the City providing \$1.7M from various developments' fair share transportation mitigation at this location and the remaining \$8.8M coming from a federal grant. On April 12, 2016, the County awarded a construction contract in the amount of approximately \$10,120,550 to O.C. Jones & Sons, Inc. The construction of the project is currently 75% complete and the County is expecting completion in fall of 2018.

DISCUSSION

Through the course of construction the contractor encountered various unforeseen conditions that had to be dealt with. The biggest unforeseen condition involved the discovery of contaminated soil on site and some other smaller issues included the relocation of private property improvements built on County right of way and other minor construction impediments found within the project limits. As a result of these unanticipated issues, the County has expended all the allotted \$600K of contingency funds and has indicated that they are in need of an additional \$2.5 million to complete the project. Under the terms of the cost sharing agreement the City and the County will work cooperatively to identify additional funds necessary to allow the project to be completed. City staff has identified approximately \$414,000 from remaining San Tomas Expressway Improvement project funding at the El Camino Real and Homestead Road intersections and the County will allocate the remaining cost (approximately \$2.1 million) necessary to complete the project. Therefore, staff recommends that the Council authorize the City Manager to execute the attached cost sharing agreement (Attachment 2). Since the original agreement expired, the County of Santa Clara requested that the City sign a new agreement versus amending the original agreement.

Staff from both agencies will also attempt to identify if outside grant funds may be obtained quickly to help offset costs further.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(4) in that this is a fiscal activity. The County has cleared the San Tomas Expressway Widening project through the National Environmental Policy Act (“NEPA”) and CEQA in order to receive federal grant funds.

FISCAL IMPACT

The additional requested funding is currently available in three projects: Intersection Improvements El Camino Real at San Tomas (CIP 2658) - \$328,900, Traffic Signal Modifications at San Tomas & Homestead (CIP 2639) - \$25,000, and Install Sidewalks on San Tomas Expressway (CIP 2667) - \$60,100. These projects are within the Traffic Mitigation Fund that were intended to help improve San Tomas Expressway.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Approve and authorize the City Manager to execute the Cost Sharing Agreement with the County of Santa Clara for Widening Improvements on San Tomas Expressway between El Camino Real and Homestead Road.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. 2011 Agenda Report and Agreement
2. Agreement