TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: MARCH 6, 2006

CMR: 159:06

SUBJECT: APPROVAL OF COOPERATIVE AGREEMENT WITH THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY FOR FUNDING OF INITIAL ENVIRONMENTAL ANALYSIS FOR THE PALO ALTO INTERMODAL TRANSIT CENTER PROJECT AND APPROVAL OF CONSULTANT CONTRACT WITH EIP ASSOCIATES IN THE AMOUNT NOT TO EXCEED $278,384 FOR TECHNICAL STUDIES AND ENVIRONMENTAL WORK PROGRAMMING FOR THE PALO ALTO INTERMODAL TRANSIT CENTER PROJECT.

RECOMMENDATION

Staff recommends that Council:

1. Approve and authorize the Mayor to execute the attached cooperative agreement with the Santa Clara Valley Transportation Authority for use of $247,507 in FTA Section 5309 funds for the Palo Alto Intermodal Transit Center Project.

2. Approve and authorize the City Manager to execute the attached contract with EIP Associates in the amount of $263,910 for technical studies and environmental work programming for the Palo Alto Intermodal Transit Center Project.

3. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with EIP Associates for related, additional but unforeseen work which may develop during the project, the total value of which shall not exceed $14,474.

BACKGROUND

In 1993-94, the “Dream Team” charrette and design study identified a conceptual vision to transform and enhance the Palo Alto Intermodal Transit Center (PAITC) as a transportation hub, improve multi-modal access to the transit center and enhance the University Avenue axis between downtown Palo Alto and the Stanford University campus as a community gateway with civic amenities. Subsequently, Palo Alto secured $200,000 in funding from the state’s Petroleum Violation Escrow Account to complete the PAITC conceptual plan and feasibility study. This work concluded with the PAITC conceptual plan and feasibility study, which the City Council considered on March 2002.
The 2002 PAITC conceptual plan consists of both transportation elements and community amenities. Transportation elements include expanded rail and bus passenger service capacity with an increase from two to four rail commuter tracks at the station, an at-grade intersection of Alma Street and University Avenue, the re-design of University Avenue between Alma and Palm Drive into an oval loop road and provision of a bicycle and pedestrian under-crossing of Caltrain near Alma and Everett. Community amenities include an urban park and civic space, public art, and urban design features. (See Attachment A). The PAITC plan addresses the immediate need to maximize use of the public transit and Caltrain services programmed for the future, as well as to enhance the safety and convenience for all those who travel to, from or through the area. The project also addresses the long-term need to retain and enhance the economic and social vitality of the area.

The PAITC conceptual plan proposes two options for developing the multi-modal center. Both options transform University Avenue between Alma and Palm Drive into an oval loop enclosing a public park, accommodate an increase from two to four rail commuter tracks, and expand the existing bus transfer area. Option 1 retains the buses in their current location. Option 2 relocates all bus and shuttle transfers to the level below the tracks.

In 2002, the City Council directed staff to obtain local state and federal funding for the project and to prepare a full environmental analysis in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) before a final project design is executed.

In 2003, the City secured a federal earmark of $247,507 in Federal Transit Administration (FTA) funds to initiate the environmental process by completing an initial study and/or the technical analyses and engineering necessary to bring the project design to sufficient level for CEQA/NEPA environmental analysis, and to develop a timeline, estimated budget and implementation plan for the subsequent steps in the environmental process and project implementation. Since federal grants issued by the FTA can only be claimed by transit operators, the Santa Clara Valley Transportation Authority was designated by FTA as the recipient and responsible agency for the grant. The VTA secured FTA approval of the grant, thus securing the federal funding for the project. The FTA grant requires a local match of 20 percent ($61,877).

City staff and VTA staff cooperatively developed a Request for Proposals (RFP) for consultant services to initiate the environmental process for the PAITC project. Once the scope of work had been negotiated with the successful proposer, EIP Associates, VTA staff finalized the cooperative funding agreement between the City and VTA for the pass-through of the grant funds to the City of Palo Alto, including the specific scope of work negotiated with EIP Associates.

**DISCUSSION**
Cooperative Funding Agreement with VTA
The attached cooperative agreement (Attachment B) specifies the scope of work to be accomplished and duties and responsibilities of the City and VTA respectively for the
administration of FTA Section 5309 grant funds for the PAITC project. The agreement provides for FTA Section 5309 funds in the amount of $247,507 for the project and stipulates the required 20% local match contribution of $61,877 be provided by the City for a total project budget of $309,384. The agreement further stipulates that, of the total budget, $278,384 be for third party contracting (e.g., environmental consultant) to complete five technical studies and evaluations (initial site assessment, preliminary geotechnical report, transit demand analysis, section 106 historic resources report and preliminary section 4(F) evaluation), an implementation plan for the next phases of the project, and project description and purpose and need statement for the CEQA/NEPA requirements. The remaining $31,000 will be used by VTA, as responsible reporting agency to FTA, for project administration, consultation and oversight related to the grant.

**Agreement for Environmental Consultant Services**
The attached agreement with EIP Associates (Attachment C) is for technical studies and environmental work programming for the project. The scope of work includes the preparation of the five initial technical studies, implementation plan and project description/purpose and need statement that will serve to further the environmental analysis in subsequent stages of the project. Staff anticipates that the subsequent environmental review will require preparation of a programmatic environmental impact report and NEPA environmental assessment for the project. The implementation plan will be key in identifying the next steps in the environmental review and engineering for the project, implementation milestones, the roles and responsibilities of the agencies involved in the project and the future decision making structure and lead agencies for each phase.

**Selection Process**
A Request for Proposals (RFP) for was issued on June 21, 2005. The following table summarizes the results of the RPF solicitation:

<table>
<thead>
<tr>
<th>Proposal Description/Number</th>
<th>Environmental Consulting Services for Intermodal Transit Center Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>1 year</td>
</tr>
<tr>
<td>Number of Proposals Mailed Out</td>
<td>34</td>
</tr>
<tr>
<td>Total Days to Respond to Proposal</td>
<td>60</td>
</tr>
<tr>
<td>Pre-proposal Meeting Date</td>
<td>July 6, 2005</td>
</tr>
<tr>
<td>Number of Company Attendees at Pre-proposal meeting</td>
<td>9</td>
</tr>
<tr>
<td>Number of Proposals Received</td>
<td>2, plus 1 no bid transmittal</td>
</tr>
</tbody>
</table>

A selection advisory committee consisting of 5 staff from the Planning and Community Environment, Public Works, and Administrative Services and one representative from the VTA reviewed the proposals and both EIP Associates and CirclePoint were invited to participate in oral interviews on August 31, 2005.
The committee carefully reviewed each firm's qualifications and submittal in response to the RFP relative to the following criteria:

- Quality and completeness of the proposal
- Quality, performance and effectiveness of the solution, goods or services to be provided by proposer
- Proposer’s experience, including the experience of staff to be assigned to the project, as well as engagements of similar scope and complexity
- Proposer’s financial stability
- Proposer’s ability to perform the work within the time specified
- Proposer’s prior record of performance with the City or others
- Proposer’s compliance with applicable laws, regulations, policies, guidelines and orders governing prior or existing contracts performed by the contractor

EIP Associates was selected because of the firm’s experience and expertise in the area of CEQA/NEPA environmental review, experience and composition of the consultant’s project manager and overall project team, prior record of performance with the City and overall understanding of the project as demonstrated by the quality and depth of the firm’s proposal and approach to the project. EIP Associates is performing services that are limited in scope and subject to significant intervening review and therefore is not required to file a statement of economic interest pursuant to the City’s conflict of interest code.

**RESOURCE IMPACT**

Funds and related revenue reimbursements for this project were originally included in the 2003-04 operating budget. However, these funds were not spent and the revenue was not collected. The appropriation of $285,000 is once again included, this time as part of the 2005-06 midyear budget, which was approved by the Finance Committee on February 7 and will be presented to Council on March 13. The funding is reimbursed by approximately $254,000 which is included in the 2005-06 budget. The revenue comes from two sources: $223,000 from the VTA/FTA Section 5309 grant and approximately $31,000 from Stanford University, which has offered to fund one half of the local match of $62,000 in a continuation of the cost-sharing of local match begun with the PVEA grant.

The City has secured three additional federal earmarks for the Intermodal Transit Center to continue development of the conceptual engineering and environmental analysis for the project. Staff plans to include the next two grants totaling $728,156 and local match of $182,039 in additional City funding in the 2006-07 operating budget proposal to secure the funding from the FTA. The grant covering the final earmark of $728,834 will not be submitted to FTA until summer 2007 and will be included in a future budget request. If the project proceeds, after the work funded by these two grants is completed, additional City funding would be required, but the amount is not known at this time. The 2004-05 Capital Improvement Program budget estimated the total unfunded cost of the Intermodal Transit Center at approximately $196 million. The VTA Valley Transportation Plan (VTP 2030) includes an allocation of $50 million for this project. Other future funding sources for this project have not yet been identified.
POLICY IMPLICATIONS
The Palo Alto Intermodal Transit Center project implements Program T-14 of the Transportation section of the Palo Alto Comprehensive Plan: “Pursue development of the University Avenue Multi-modal Transit Station conceptual plan based on the 1993-94 design study.”

ENVIRONMENTAL REVIEW
In 2002, the City Council directed staff to complete a full CEQA/NEPA environmental analysis before the final project design is completed. Both City and VTA staff anticipate that this project will require a CEQA Programmatic Environmental Impact Report (EIR) and a NEPA Environmental Assessment (EA). The current first phase of work includes the initial steps in the environmental review process. The work products include technical studies and the preparation of a project description required under CEQA and a purpose and need statement for NEPA. The current project also includes development of an implementation plan for the subsequent steps in the environmental process and project implementation.

ATTACHMENTS
Attachment A: PAITC Conceptual Plan Overview and Site Plan
Attachment B: Cooperative Agreement with the Santa Clara Valley Transportation Authority
Attachment C: Agreement with EIP Associates

COURTESY COPIES:
Kevin Connolly, VTA
Darryl Maxey, Caltrain
Charles Carter, Stanford University

PREPARED BY: GAYLE LIKENS
Acting Chief Transportation Official

DEPARTMENT HEAD: STEVE EMSLIE
Director of Planning and Community Environment

CITY MANAGER APPROVAL: EMILY HARRISON
Assistant City Manager