



**TOWN OF LOS GATOS  
COUNCIL POLICY COMMITTEE REPORT**

MEETING DATE: 02/16/2021

ITEM NO: 6

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DATE: February 11, 2021  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Guardrail Replacement Project (CIP No. 812-0120):  
a. Approve the Project Plans and Specifications;  
b. Authorize Advertising the Project for Bid;  
c. Authorize the Town Manager to Award and Execute a Construction Agreement in an Amount not to Exceed \$800,000, Including Contingencies and Change Orders; and  
d. Authorize Staff to Execute Future Change Orders in an Amount Not to Exceed Ten Percent of the Contract Award Amount.

**RECOMMENDATION:**

Staff recommends that the Town Council authorize the following actions for the Guardrail Replacement Project (CIP No. 812-0120):

- a. Approve the project Plans and Specifications;
- b. Authorize advertising the project for bid;
- c. Authorize the Town Manager to award and execute a construction agreement in an amount not to exceed \$800,000, Including contingencies and change orders; and
- d. Authorize staff to execute future change orders in an amount not to exceed ten percent of the contract award amount.

**BACKGROUND:**

The adopted Fiscal Year (FY) 2020/21-2024/25 Capital Improvement Program (CIP) Budget designates funding for the Guardrail Replacement Project (CIP No. 812-0120). Guardrails are safety features on roadways to reduce the severity of a crash by preventing a motorist from

**PREPARED BY:** WooJae Kim  
Town Engineer

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

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BACKGROUND (continued):

reaching a more hazardous fixed object or terrain, including sudden slope or grade drop-offs. Staff identified locations in the Town where guardrails have exceeded their useful design life and require upgrades to current standards.

In 2018, the Town secured the Highway Safety Improvement Program (HSIP) grant in the amount of \$980,100 from the Federal Highway Administration (FHWA) for the design, construction, and project delivery for replacing approximately a half-mile of Town guardrails located on Blossom Hill Road, Cleland Avenue, Los Gatos Boulevard, Miles Avenue, More Avenue, Reservoir Road, and three segments on Santa Rosa Drive. The goal of the HSIP grant program is to reduce fatalities and serious injuries on public roads.

Through the Request for Proposals (RFP) procurement process, the Town selected Ruggeri-Jensen-Azar (RJA) as the consultant for the professional engineer design services. On March 17, 2020, the Town Council authorized the award of a consultant services agreement to RJA for the design of the project.

DISCUSSION:

RJA started the design services in April 2020. The project Plans and Specifications were completed by December 2020. As a recipient of federal highway funds, the Town must comply with federal regulations in administering the design and construction of the project. While the technical design is based on local and state standards, the Town's contract documents must incorporate necessary federal regulations and provisions for the process of advertising for bid, including participation in Disadvantaged Business Enterprises (DBE) Program, "Buy America" requirements for steel, non-discrimination certifications, federal Davis Bacon wage rates, contractor payments, and other requirements. The primary objective of the DBE Program is to provide fair opportunity for "small businesses owned and controlled by socially and economically disadvantaged individuals" to compete and participate in federally funded transportation projects.

Prior to advertising this project for construction bid, the Town must receive an Authorization to Proceed from the FHWA, who has delegated this authority to the California Department of Transportation (Caltrans). Staff has submitted a request for the authorization and received initial technical approval of the contract documents from Caltrans on January 21, 2021. Caltrans is now processing the necessary FHWA documentations that allows the reimbursable construction work to begin. Staff anticipates the final Authorization to Proceed from Caltrans by the end of February 2021.

The project Plans and Specifications with federal regulations and provisions are available for review on the Parks and Public Works capital improvement webpage at [www.losgatosca.gov/108/Capital-Improvement-Program](http://www.losgatosca.gov/108/Capital-Improvement-Program).

DISCUSSION (continued):

With approvals from the Town Council and Caltrans, the project would be able to start construction in April 2021 with completion anticipated by September 2021.

Prior to construction, staff will conduct project outreach via social media platforms and distribute project notifications to inform the affected communities of the project and potential impacts to roadways.

CONCLUSION:

Approval of the recommendations will allow this project to move forward for bidding and award of the Guardrail Replacement Project.

COORDINATION:

This project has been coordinated with the Finance Department.

FISCAL IMPACT:

The FY 2020/21 – 2024/25 CIP Budget designated sufficient funds for the Guardrail Replacement Project (CIP No. 812-0120).

Guardrail Replacement Project (CIP No. 812-0120)		
Project 812-0120		
Description	Budget	Costs
GFAR	\$93,015	
HSIP Grant	\$980,100	
<b>Total Budget</b>	<b>\$1,073,115</b>	
Engineering Consultant		\$130,000
Staff Costs – Design Phase (temporary)		\$23,115
Construction Estimate (Including 10% Contingency)		\$800,000
Project Delivery (15% of Construction)		\$120,000
<b>Project Costs</b>		<b>\$1,073,115</b>
<b>Remaining Balance</b>		<b>\$0</b>

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FISCAL IMPACT (continued):

Staff costs are tracked for all projects. Tracking of staff costs allows for accountability in the costs of projects, recovery of costs from grant funded projects, and identification of future staffing needs. This project utilizes a combination of full-time budgeted staff and temporary staff that support fluctuating workloads. The Town will seek reimbursement for qualifying staff charges from HSIP grant funds.

ENVIRONMENTAL ASSESSMENT:

This is a project defined under CEQA as being Categorically Exempt [Section 15301(c) Existing streets, sidewalks, trails and similar facilities]. A Notice of Exemption has been filed.

The Air Quality Conformity Task Force of the Metropolitan Transportation Commission, a project sponsor for the federal grant, has completed the project-level conformity analyses (PM2.5) and determined that the project is exempt per the National Environmental Policy Act (NEPA).