

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 JUL -1 PM 1:58

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Public Works Agency
DATE: July 13, 2004

RE: **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES TO CONDUCT AVERAGE DAILY TRAFFIC COUNTS AND RADAR SPEED ZONE STUDIES FOR AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$25,000 (TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$270,790) AND A TIME OF PERFORMANCE EXTENSION FROM JUNE 30, 2004 TO DECEMBER 31, 2004**

SUMMARY

A resolution has been prepared authorizing the City Administrator or her designee to amend the existing professional services agreement with Kimley-Horn and Associates (KHA) to conduct Average Daily Traffic (ADT) counts and Radar Speed Zone Studies (SZS) for an additional amount not-to-exceed \$25,000 (total contract amount not-to-exceed \$270,790) and for a time of performance extension from June 30, 2004 to December 31, 2004. The original time of performance had previously been extended from June 30, 2003 to June 30, 2004.

Additional products and services not included in the original work scope necessitated this amendment to increase the budget and extend the schedule.

The project is consistent with the following Mayor/City Council goals and citywide objectives:

Make Oakland a Safe City by improving the perception of safety.

Improve Oakland Neighborhoods by improving traffic, bicyclist, and pedestrian safety.

FISCAL IMPACT

The original agreement had a not-to-exceed contract amount of \$245,790. To date, a total contract amount of \$240,506 has been expended, leaving a balance of \$5,284.

The requested additional cost of \$25,000 is for additional products and services not included in the original work scope. Below is a breakdown of the add-on work:

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<u>Product</u>	<u>Estimated Cost</u>
-Maps displaying posted speed limits, recorded speeds, accident rates, and roadway conditions (182 maps total)	\$14,575
-Additional draft submittals	\$2,280
-Additional SZS and ADT counts	\$1,250
-Contingency	\$6,895
Total	\$25,000

The urgent need to slow down traffic by way of radar enforcement requires the expedient completion of this project; therefore, a contingency is included to cover any unanticipated additional work to avoid further delay. Funds are available in the following coding blocks:

- Traffic Counts 2002-2003, C159910, Gas Tax Fund (2230), in the amount of \$14,863
- Speed Survey 2002-2003, C160010, Gas Tax Fund (2230), in the amount of \$36,030

No general funds will be required for these projects.

BACKGROUND

On May 7, 2002, the City Council approved Resolution No. 77109 authorizing an agreement with KHA to conduct ADT counts and radar SZS for a not-to-exceed amount of \$245,790. The time of performance was from July 1, 2002 to June 30, 2003. The Notice to Proceed was issued late on September 3, 2002. The original work scope did not include the creation of summary maps that cover all 114 streets in the radar SZS. The maps, 182 sheets in total, would serve to summarize visually the posted speed limits, recorded speeds, accident rates, and roadway conditions for the surveyed streets. They provide clarity to law enforcement and the traffic court. By adding the 182 summary maps and more ADT counts, speed studies, and draft submittals to the original scope, the contract has to be increased by \$25,000. The time of performance, which was extended from June 30, 2003 to June 30, 2004, has to be extended to December 31, 2004.

KEY ISSUES AND IMPACTS

The California Vehicle Code (CVC) requires that streets on which radar is used to enforce speed limits need a radar SZS no more than ten years old. Out of the 114 street segments in Oakland where radar is used to enforce speed limits, 59 have expired SZS, and the remaining 55 have SZS that will expire within three years. Without updated SZS, the police cannot legally use radar, which is the most effective way of speed limit enforcement.

SUSTAINABLE OPPORTUNITIES

Economic: Updated SZS will enhance speed limit enforcement and increase citations.

Environmental: None.

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Social Equity: Updated SZS will enhance speed limit enforcement where engineering measures to control speeding are limited by resources, community preference, or road conditions. The ability to enforce speeding will improve the livability of communities impacted by this problem.

DISABILITY AND SENIOR CITIZEN ACCESS

Not applicable.

RECOMMENDATION AND RATIONALE

Staff recommends that the existing agreement be amended to increase the contract cost for an amount not-to-exceed \$25,000, and to extend the time of performance to December 31, 2004.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that Council approve the resolution.

Respectfully submitted,




RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Wladimir Wlassowsky, P.E.
Transportation Services Manager

Prepared by:
Joe Wang, P.E.
Supervising Transportation Engineer

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY ADMINISTRATOR

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OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 JUL 13 PM 1:58
Rodriguez

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES TO CONDUCT AVERAGE DAILY TRAFFIC COUNTS AND RADAR SPEED ZONE STUDIES FOR AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$25,000 (TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$270,790) AND A TIME OF PERFORMANCE EXTENSION FROM JUNE 30, 2004 TO DECEMBER 31, 2004

WHEREAS, Council Resolution No. 77109 C.M.S. authorizing an agreement with Kimley Horn and Associates (KHA) to conduct Average Daily Traffic (ADT) counts and radar Speed Zone Studies (SZS) for a not-to-exceed amount of \$245,790 was approved on May 7, 2002; and

WHEREAS, the original time of performance was extended by the City Administrator from June 30, 2003 to June 30, 2004 due to staff shortage in the Transportation Services Division (TSD); and

WHEREAS, additional products and services not included in the original work scope necessitated an increase in the budget and a second extension of the schedule; and


WHEREAS, the additional products and services will benefit law enforcement and the traffic court in the radar enforcement of speed limits; and

WHEREAS, the City Council finds that the products and services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to amend the agreement with KHA to conduct ADT counts and radar SZS for an amount not-to-exceed \$25,000 (for a total contract amount not-to-exceed \$270,790) and a time of performance extension from June 30, 2004 to December 31, 2004; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement, provided that such amendments or extensions shall be filed with the Office of the City Clerk; and be it


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FURTHER RESOLVED: That a copy of the agreement will be approved for form and legality by the Office of the City Attorney and will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California


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JUL 13 2004