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**Title:** Actions pertaining to the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)  
 1. Approve Amendment No. 1 to Cooperative Project Agreement, Grade Separation Program (GSP), Blackstone & McKinley BNSF Grade Separation Project, in the amount of \$2,119,938.00, with the Fresno County Transportation Authority  
 2. Approve a Consultant Services Agreement with AECOM Technical Services, Inc. for \$6,483,786.23, with a \$325,000.00 contingency, to obtain Professional Engineering services for design and construction support

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 21-443 Amendment No. 1 to Cooperative Project Agreement, 2. 21-443 AECOM Consultant Agreement, 3. 21-443 Vicinity Map

Date	Ver.	Action By	Action	Result
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**REPORT TO THE CITY COUNCIL**

**April 8, 2021**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**THROUGH:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department, Engineering Division

**BY:** JESUS AVITIA, PE, Deputy City Engineer/Special Projects Program Manager  
Public Works Department, Special Projects Section

**SUBJECT**

Actions pertaining to the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)

1. Approve Amendment No. 1 to Cooperative Project Agreement, Grade Separation Program (GSP), Blackstone & McKinley BNSF Grade Separation Project, in the amount of \$2,119,938.00, with the Fresno County Transportation Authority
2. Approve a Consultant Services Agreement with AECOM Technical Services, Inc. for \$6,483,786.23, with a \$325,000.00 contingency, to obtain Professional Engineering services

for design and construction support

## **RECOMMENDATIONS**

Staff recommends that the City Council approve Amendment No. 1 to Cooperative Project Agreement, Grade Separation Program (GSP), Blackstone & McKinley BNSF Grade Separation Project, in the amount of \$2,119,938.00, with the Fresno County Transportation Authority (FCTA), approve a Consultant Services Agreement with AECOM Technical Services, Inc. for \$6,483,786.23, with a \$325,000.00 contingency, to obtain Professional Engineering services for design and construction support for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project and authorize the Public Works Director or designee to execute the agreements on behalf of the City of Fresno.

## **EXECUTIVE SUMMARY**

The Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project will eliminate two existing at-grade crossings by grade separating North Blackstone Avenue and East McKinley Avenue under the BNSF Mainline Track. On June 25, 2020, the Fresno City Council authorized the Department of Public Works to enter into a Cooperative Project Agreement with FCTA to fund the Preliminary Engineering phase of the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project. In preparation to support the accelerated project schedule, Public Works Staff, with the support of FCTA, has determined an amendment to the Cooperative Project Agreement for \$2,119,938.00 would be necessary to allow the Project team to begin preliminary right of way efforts while aggressively pursuing utility relocation design efforts.

The proposed Professional Engineering services contract with AECOM Technical Services, Inc. in the amount of \$6,483,786.23, with a \$325,000.00 contingency, will facilitate the design and construction support services necessary to complete the project.

## **BACKGROUND**

The City has long-planned for future grade separations at locations with high traffic volumes, such as the BNSF crossing at Shaw Avenue, which was grade-separated nearly 20 years ago. In the early 1970s, the City prepared a grade separation study, including many citywide locations, such as Blackstone Avenue and McKinley Avenue. In FY2020, staff completed an update of the Blackstone Avenue and McKinley Avenue Grade Separation Feasibility Study. The Blackstone Avenue and McKinley Avenue corridors serve as primary routes by the community, the City's Bus Rapid Transit system, emergency vehicles, and is also part of the Blackstone Smart Mobility Plan providing Class IV protected bike lanes along Blackstone Avenue through the project area. The Blackstone Avenue and McKinley Avenue project location has experienced the highest traffic volumes and number of accidents of any at-grade crossing on the BNSF corridor. The City is now moving the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project forward from the feasibility planning stage into the preliminary engineering design stage.

The 2006 Measure "C" Expenditure Plan included a percentage of the transportation sales tax revenue to be dedicated to Rail Consolidation, which was then converted by the FCTA Board to the Measure "C" Grade Separation Program in April 2020. At their April 22, 2020 meeting, the FCTA Board also selected the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project as the highest priority project and approved a Cooperative Project Agreement. The Cooperative

Project Agreement was later approved by City Council on June 25, 2020. In preparation to support the accelerated project schedule, Public Works Staff, with the support of FCTA, has also determined an amendment to the Cooperative Project Agreement for \$2,119,938.00 would be necessary to allow the Project team to begin preliminary right of way efforts while aggressively pursuing utility relocation design efforts.

In accordance with Administrative Order (AO) 6-19, staff sent out Request for Qualifications (RFQ) for Professional Engineering services in July 2020 via Planet Bids, email and published in the Business Journal. At the closing of the advertisement period the RFQ received six responses. City staff evaluated each Statement of Qualifications (SOQ) and shortlisted 4 teams for interviews on September 3, 2020. At the conclusion of the evaluation period AECOM Technical Services, Inc. was selected as the most qualified consultant for this contract.

Staff negotiated a fee of \$6,483,786.23 for Professional Engineering services to perform for design and construction support for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project. The agreement also includes an additional \$325,000.00 contingency to be used for any additional work outside of the existing scope of services, and contingent on the director's approval as set forth in the executed agreement.

The City Attorney's Office has reviewed and approved the agreements as to form.

## **ENVIRONMENTAL FINDINGS**

This project is statutorily exempt per Sections 21080.13(a) of the California Public Resources Code, and 15282(g) of the California Environmental Quality Act (CEQA) Guidelines.

## **LOCAL PREFERENCE**

Local preference was implemented; AECOM has a local office and has partnered with other Fresno firms.

## **FISCAL IMPACT**

This request will have no impact to the General Fund. All project costs for the engineering design phase will be paid by Measure "C" Grade Separation Program funds. All funds necessary for the contract award are included in the current fiscal year budget as previously adopted by the Council.

### **Attachments:**

Amendment No. 1 to Cooperative Project Agreement  
AECOM Consultant Agreement  
Vicinity Map