

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO
THE CONSULTING SERVICES AGREEMENT WITH MARK THOMAS & COMPANY,
INC., FOR THE FINAL DESIGN OF PHASES (SEGMENTS) 1 AND 2 FOR QUARRY
LAKES PARKWAY (EAST WEST CONNECTOR),
CITY PROJECT NO. 18-04, IN THE AMOUNT OF \$3,000,000**

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) approved the request from the City of Union City to be the project sponsor for the remaining phases of the I-880 to Mission Boulevard/East West Connector Project and to update the project description eligible for the remaining commitment from the 1986 Measure B Transportation Expenditure Plan to reflect the Quarry Lakes Parkway Project; and

WHEREAS, on February 12, 2019, the City Council adopted Resolution No. 5444-19, which authorized renaming the I-880 to Mission Boulevard/East West Connector Project to the Quarry Lakes Parkway Project; and

WHEREAS, the City Council has identified in the Strategic Plan Goal C, Strategy 3: Facilitate the build-out of the greater Station District Area through the construction of the Quarry Lakes Parkway, upgrades to the BART Station, completion of the pedestrian rail crossing and the sale and development of City-owned land; and

WHEREAS, the Project consists of Quarry Lakes Parkway (QLP) in Union City and Decoto Road Complete Streets Project in Fremont, which will be implemented by the City of Fremont; and

WHEREAS, QLP in Union City consists of Phase 1: 7th Street Connection, Phase 2: Gateway Connection, Phase 3: 11th Street Connection and Phase 4: Grade Separations and Alvarado-Niles Connection. Phase 5: Paseo Padre and Trail Connection is in both the cities of Union City and Fremont; and

WHEREAS, the remaining commitment of 1986 Measure B funding available for the QLP is approximately \$69 Million; and

WHEREAS, the current cost estimate for the QLP and Decoto Road Complete Streets is approximately \$288 Million and the cost estimate of QLP Phases 1-4 is approximately \$208 Million; and

WHEREAS, on November 19, 2020, the Alameda CTC adopted Resolution No. 20-013 that included approval for the use of 1986 Measure B and 2014 Measure BB funding on individual sub-projects or project phases of the QLP, which are fully funded; and

WHEREAS, on March 9, 2021, the City Council adopted Resolution Nos. 5720-21 and 5721-21 authorizing commitments of Measure BB TEP 21, Dumbarton Corridor Improvement funds of \$40.0 Million and TEP 22, Union City Intermodal District funds of \$72.0 Million to Quarry Lakes Parkway Project for Phases 3 and Phase 4; and

WHEREAS, on June 24, 2021, the California Transportation Commission (CTC) approved the conveyance of excess Caltrans parcels (originally reserved for Route 84) appraised at \$86.0 Million to the City of Union City and the City is now responsible to select a residential developer; and

WHEREAS, the \$86.0 Million from the sale of the Caltrans parcels for residential development will fund the Local Agency Transportation Improvement Program (LATIP) with estimated LATIP obligations of about \$60.0 Million to Quarry Lakes Parkway and Decoto Road Complete Streets; and

WHEREAS, on September 7, 2021, Union City received a \$4.2 Million grant in 1986 Measure B funds in the executed Alameda CTC Project Funding Agreement No. A22-0053 to fund the cost of Final Design Services of Phases (Segments) 1 and 2 for Quarry Lakes Parkway (East West Connector), City Project No. 18-04; and

WHEREAS, on October 12, 2021, City Council adopted Resolution No. 5841-21 approving acceptance of the \$4.2 Million grant and increasing the FY 2021/22 revenue projection in Account Number 4100-91804-44502 (Capital Projects Fund – Misc. County/Local Grants) by \$4.2 Million for Quarry Lakes Parkway (East West Connector) Project, City Project No. 18-04; and

WHEREAS, on October 12, 2021, City Council also approved an amendment to the FY 2021/22 Capital Projects Fund budget by appropriating \$4.2 Million to Account Number 4100-3199-91804-54110 (Capital Projects Fund - Quarry Lakes Parkway (East West Connector) Project - Professional Services) for Final Design Services of Phases (Segments) 1 and 2 for the Quarry Lakes Parkway (East West Connector) Project, City Project No. 18-04; and

WHEREAS, on January 11, 2022, the City of Union City, under Resolution No. 5878-22, authorized the City Manager to execute a Consulting Services Agreement, C5833, with Mark Thomas & Company, Inc. for Preliminary Engineering (30% Final Design) of Phases (Segments) 1 and 2 for the Quarry Lakes Parkway (East West Connector) Project, City Project No. 18-04, in the amount of \$1,200,000 with \$3.0 Million remaining in Account Number 4100-3199-91804-54110 (Capital Projects Fund - Quarry Lakes Parkway (East West Connector) Project - Professional Services) for Final Design; and

WHEREAS, the Preliminary Engineering (30% Final Design) has allowed the Mark Thomas Consultant team the opportunity to provide a detailed, extensive review of outdated 2011 East West Connector Project Plans (65%) including CAD drawing files, engineering calculations and technical reports to recommend how to update the Project Plans to current

design standards and technical reports using the most current engineering criteria and policies. With this task completed, the Consultant team and City staff have a better understanding of the complexities of the project and has been able to prepare a fair, detailed Scope of Services and Cost Proposal for the Final Design of Quarry Lakes Parkway, Phases 1 and 2; and

WHEREAS, the 2011 East West Connector project identified a large outfall structures into Old Alameda Creek for the proposed Line M Bypass pipeline originating at the existing Line M Channel near 7th Street, a second outfall structure into Old Alameda Creek for roadway drainage from Quarry Lakes Parkway during non-peak flow of two (2) deep water treatment bio-retention/hydromodification basins within the Caltrans Property about 5.0 acres along Osprey Drive across the street from the existing residential housing; and

WHEREAS, within the past several months Mark Thomas' Consultant Team, city staff along with Alameda County Flood Control & Water Conservation District (ACFC&WCD) have collaborated to revise the overall Quarry Lakes Parkway, Phases 1-4 roadway drainage strategy and design from Line M Flood Control channel located in Phase 1 to the outfall structures into Old Alameda Creek in Phase 2 by relocating the water quality bio-retention/hydromodification basins to the upland area along east side of Old Alameda Creek making the area along Osprey Drive available for development, modifying the locations of the two (2) Old Alameda Creek outfall drainage structures to support drainage design and the new basin location and added overflow stormwater runoff from the Line M Flood Control Channel directly into under-utilized Old Alameda Creek with the opportunity to revitalize and restore biological resources within Old Alameda Creek and create trail networks connecting Arroyo Park in Union City to Quarry Lakes Regional Park and the proposed Isherwood Park in Fremont; and

WHEREAS, on September 20, 2022, at the Bicycle and Pedestrian Advisory Committee (BPAC) meeting, Mark Thomas presented the proposed roadway drainage strategy and design including the opportunity to revitalize and restore biological resources within Old Alameda Creek and create trail networks connecting Arroyo Park in Union City to Quarry Lakes Regional Park and the proposed Isherwood Park in Fremont. The BPAC members and the public expressed their support for the proposed trail network system along the creek, connecting existing and proposed parks in Union City and Fremont and revitalizing Old Alameda Creek; and

WHEREAS, the First Amendment to the Consulting Services Agreement with Mark Thomas & Company, Inc., in the amount of \$3,000,000, for Final Design of Phases 1 and 2 of Quarry Lakes Parkway, City Project No. 18-04, will include revising the roadway drainage strategy and design, continue coordination meetings with city staff, residential developer, Alameda County Flood Control & Water Conservation District, regulatory agencies, City of Fremont, AC Transit, BART, BPAC members and utility companies, preparing construction drawings for finalizing the multimodal design including Layout Plans, Grading Plans, Typical Sections, Profiles, Construction Details, Drainage Layout, Profiles & Detail Plans, Utility Plans, Construction Staging Plans, Traffic Signal & Lighting Plans, Signing & Striping Plans, Landscape and Irrigation Plans, preparing regulatory permits applications, utility agreements, specifications and updating engineering reports and Engineers Estimate required for Final Design; and

WHEREAS, the First Amendment to the Consulting Services Agreement with Mark Thomas & Company, Inc., for Final Design, in the amount \$3,000,000, will be funded with the \$3.0 Million remaining balance from the \$4.2 Million grant appropriated to the Capital Project Fund (Account Number 4100-3199-91804-54110) for Phases 1 and 2 of Quarry Lakes Parkway, City Project No. 18-04.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute the First Amendment to the Consulting Services Agreement with Mark Thomas & Company, Inc., for Final Design of Phases (Segments) 1 and 2 for the Quarry Lakes Parkway (East West Connector) Project, City Project No. 18-04, in the amount of \$3,000,000 (Exhibit A).

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 22nd day of November 2022, by the following vote: