



Legislation Text

File #: Res 2018-76, **Version:** 1

RESOLUTION AUTHORIZING CONTRACT AWARD FOR THE 88TH AVENUE ENVIRONMENTAL ASSESSMENT & CONCEPTUAL DESIGN SERVICES

Summary and Background Information: The 88th Avenue Project is one of City Council's [transportation priorities](http://commerce.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=4741) [key=4741](http://commerce.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=4741); approximately \$11 million has been identified in the five-year capital improvement and preservation plan for implementation. The Denver Regional Council of Government (DRCOG)'s [2040 fiscally-constrained regional transportation plan](https://drcog.org/programs/transportation-planning/regional-transportation-plan) <https://drcog.org/programs/transportation-planning/regional-transportation-plan> identifies the project as eligible for federal funding within the 2015-2024 timeframe. The \$21.5 million project (FY 2015 estimate) proposes widening 88th Avenue from two to four lanes, from I-76 to SH 2, including a railroad grade separation. Prior to beginning design and construction, a federally-approved environmental process must occur. Resolution 2018-76 authorizes contract award for an environmental assessment and conceptual design project, consistent with federal requirements.

Background:

In 2016, Commerce City received a \$150,000 federal grant from the Denver Regional Council of Governments (DRCOG) to conduct a National Environmental Policy Act (NEPA) study to redesign 88th Avenue from Interstate 76 to Highway 2. Consistent with ['DRCOGs FY 2016-2021 Policy on TIP Preparation](https://drcog.org/sites/default/files/event-materials/Jan_17_2018_Board_Agenda.pdf) https://drcog.org/sites/default/files/event-materials/Jan_17_2018_Board_Agenda.pdf, the 88th Avenue Project was identified as experiencing delay in January 2018. Per the policy, timely initiation of federally-funded projects is an important objective of the Board of Directors as delays tie up scarce federal funds that could have been programmed to other ready projects/phases. The policy required Commerce City to secure a consultant and expend funds on the contract no later than October 15, 2018. Failure to do so requires a variance from the DRCOG Board of Directors to continue with the project and remain eligible for federal funding reimbursement.

[Resolution 2018-16](https://commerce.legistar.com/LegislationDetail.aspx?ID=3372948&GUID=08726490-1500-4E11-B2A5-BCD422EC1FFA&Options=ID|Text|&Search=2018-16) <https://commerce.legistar.com/LegislationDetail.aspx?ID=3372948&GUID=08726490-1500-4E11-B2A5-BCD422EC1FFA&Options=ID|Text|&Search=2018-16> was adopted by City Council March 19, authorizing the City and Colorado Department of Transportation to enter into an agreement regarding funding of the Project consistent with the project approved by DRCOG. As a result of staff vacancies, no work additional work was completed on this project during Q1 and most of Q2. Interim staff re-engaged with CDOT and DRCOG to discuss grant options and needed updates to address delay impacts. Staff used an existing on-call consultant to draft the RFP and create a project schedule in an attempt to meet the stated deadlines.

Procurement Process:

The city completed a competitive procurement consistent with the requirements of 23 CFR 172.5(1), applicable provisions of the approved intergovernmental agreement, and the city's written procurement procedures, issuing the attached Request for Proposal (RFP) August 1. A pre-proposal conference was held August 6, 2018, with proposals due August 23, 2018. The city received three

qualified responses:

- EST, Inc./HDR
- Felsburg, Holt & Ullevig
- Michael Baker International/Jacobs

A five-member evaluation panel consisting of the Colorado Department of Transportation as well as City planning and engineering professionals reviewed proposals based on the following weighted criteria:

- Experience of the Respondent and team assigned to the Services (35%)
- Proposed approach and process to fulfill the City's needs (55%)
- References (10%)
- Minimum Qualifications & DBE Participation (Pass/Fail)

The team led by EST, Inc. was deemed the most responsible bidder consistent with the RFP requirements. Staff negotiated a fee of \$1,098,389, consistent with the process specified in 40 U.S.C. 1104 (see attached fee breakdown).

Schedule:

Following city council action, a project kick-off meeting is scheduled for October 11, 2018, to meet the terms of the TIP policy and avoid further project delay. The project team anticipates a 15-month schedule to complete the decision document in accordance with NEPA requirements. This will allow the City to seek additional federal funding for design and construction activities in the 2020-2023 DRCOG TIP cycle currently underway.

Staff Responsible (Department Head): Director of External Affairs | Interim Director of Public Works Halstead

Staff Member Presenting: Director of External Affairs | Interim Director of Public Works Halstead

Financial Impact:

Contract Amount: \$1,098,389

Contingency: \$100,000

Total Authorization: \$1,198,389

Funding Source: CIPP

Staff Recommendation: Approve as presented.