CITY COUNCIL **AGENDA REPORT**

MEETING DATE: June 1, 2022 **ITEM # 3**

SUBJECT:

CONSIDERATION OF APPROVAL OF CONTRACT AMENDMENT NO. 1 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ADDITIONAL WORK RELATED TO THE PLUG-IN PARTNERSHIP PROGRAM (CIP 11036)

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:

Stephanie Chhan, Senior Transportation Planner
Community Development Department

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The objective of this report is to provide the City Council with sufficient information to approve Contract Amendment No. 1 with Kimley-Horn and Associates, Inc. to perform additional professional services for the design phase of electric vehicle (EV) Charging as part of the West Sacramento Plug-in Partnership program (CIP 11036).

RECOMMENDED ACTION

Staff respectfully recommends that the City Council:

1. Approve Contract Amendment No. 1 with Kimley-Horn and Associates Inc. to include the additional work related to the design phase of EV Charging as part of the Plug-In Partnership Program for $46,500;

2. Authorize the City Manager, or his designee, to execute Contract Amendment No. 1 for Kimley-Horn and Associates, Inc. which includes additional professional services to assess, design and provide bid stages services in support of the installation of EV Charging Stations as part of the West Sacramento Plug-in Partnership Program (Phase 1); and,

3. Find that the Plug-In Partnership Program is exempt from California Environmental Quality Act (CEQA) analysis under Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations of Land), 15306 (Information Collection), and 15311 (Accessory Structures) of the California Environmental Quality Act Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations).

BACKGROUND

In December 2018, the Sacramento Area Council of Governments (SACOG) Board of Directors authorized the award of a Green Region grant in the amount of $2,665,000 to the City of West Sacramento, funding the West Sacramento Plug-in Partnership (PiP) Program. The PiP program supports increased adoption and use of zero emission vehicles through the citywide installation of electric vehicle (EV) charging stations throughout the City, including collab with local fleet-operating stakeholders. The required 11.47% local match requirement is met through in-kind donations of labor and equipment with the City's primary partner in the submitted grant application, ChargePoint Inc.

The overall PiP scope includes siting, design, permit, construction and installation of between 25-35 Level 2 (L2) charging stations and 7 to 14 DC Fast Chargers (DCFC) and outreach to freight stakeholders and the business community encouraging medium-duty fleet electrification. The program was broken into phases, with Phase 1 focused primarily on City-owned and EV ready site locations to support expedient installation of charging infrastructure where possible. Phase 2 will expand the work to assess private property locations more broadly as candidate site for installations, such as commercial plazas, and will explore necessary coordination and policy decisions such as pricing, in order to partner with private entities for additional EV Charger installations.

The City Council adopted Resolution 19-93 approving the Supplemental Operations & Maintenance and 5-Year Capital Improvement Program (CIP) Budget for fiscal years 2019-20 and 2020-21 on September 18, 2019, which included $2,665,000 in eligible local funds ($1,000,000 of Measure E and $1,665,000 of General Fund). By approving Resolution 19-93, the City Council authorized an amendment to the CIP to reflect this exchange of funds (local funding swap) which defederalized the PiP program and enabled work on the project to begin. Since

then, staff has continued work on siting, coordination with ongoing City-owned projects to make-ready for EV installations where appropriate. Though the project is now utilizing local funds, the City still maintains a commitment to deliver a minimum of 25 L2 charging stations and 7 DCFCs. Failure to perform or delivery this project may be considered by SACOG as a disqualifying or discounting factor for existing or future projects proposed through SACOG's competitive funding programs.

On April 1, 2021, The City entered into a contract formalizing the City's partnership with ChargePoint Inc., as committed to SACOG in the PiP application. On September 15, 2021, the City Council approved a contract with Kimley-Horn and Associates, Inc. in the amount of $113,400 for the design of Level 2 (L2) and Direct Current Fast Chargers (DCFC) EV charging stations at Phase 1 "EV-ready" sites that would support demand for charger expansions. Additionally, the City Council authorized the City Manager or his designee to make contract amendments to provide a contingency of up to 10% ($11,340) of the value of the contract.

The following locations and tentative electric vehicle supply equipment (EVSE) types/quantities were identified for consideration in the Phase 1 PiP:

1. West Sacramento (WS) City Hall: 1110 W Capitol Ave (3) CT4000 Level 2 Chargers
2. Heritage Oaks Park: 1300 Lake Washington Blvd (1) CT4000 Level 2 Charger
3. WS Police Station: 550 Jefferson Blvd (1) CT4000 Level 2 Charger
4. WS New Corporation Yard: 4300 West Capitol Ave (5) CT4000 Level 2; (2) Express 250 DCFC
5. Joey Lopes Park: 840-878 Sycamore Ave (5) CT4000 Level 2 Chargers
6. WS Recreation Center: 2801 Jefferson Blvd #5317 (3) CT4000 Level 2 Chargers
7. WS Community Center: 1075 W Capitol Ave (5) CT4000 Level 2 Chargers
8. Bridge Street Parking Lot: 74 Bridge St (2) Express 250 DCFC

ANALYSIS

Since contract execution, Kimley-Horn conducted feasibility analysis and developed preliminary construction plans for the eight Phase 1 sites. During this process, the City coordinated with other agencies to seek approval for EV infrastructure on non-City property, such as the Washington Unified School District (WUSD) for the Recreation Center and the Los Rios Community College District for the Community Center sites. Unfortunately, the City was not able to secure WUSD's concurrence for installing EV chargers in the parking lot of the Recreation Center, and the City must abandon the site as part of the PiP program. City staff indicated to WUSD should there be improvements made along the site in the future, WUSD is responsible for meeting the City's EVSE requirements. Per the City's zoning code, electric vehicle charging stations are required in new or renovated parking areas with five or more parking spaces - a minimum of one electric vehicle charging station shall be provided for every five parking spaces.

Currently, the Kimley-Horn has submitted permits on behalf of the City or is concluding design services for the below locations and tentative EVSE types/quantities:

Location	EV Charging Equipment to be Installed	Parking Stalls with EV Charging	Status
City Hall	7 CT4000 L2 Dual Port (inclusive of replacement of one existing dual port) 1 CT4000 L2 Single Port	13 Standard (*3 existing)* 1 Standard Accessible (*existing)* 1 Van Accessible	Permit Submitted
Heritage Oaks Park	1 CT4000 L2 Dual Port	1 Standard 1 Van Accessible	Permit Submitted
Police Station[1]	1 CT4000 L2 Dual Port	2 Standard	Permit Submitted
New Corporation Yard	6 CT4000 L2 Dual Port 3 CPE250 DCFC Single Port	12 Standard (10 L2 and 2 DCFC) 1 Standard Accessible (1 L2) 2 Van Accessible (1 L2 and 1 DCFC)	Permit Submitted
Joey Lopes Park	4 CT4000 L2 Dual Port 2 CT4000 L2 Single Port	8 Standard 1 Van Accessible 1 Standard Accessible	Permit Submitted

Location	EV Charging Equipment to be Installed	Parking Stalls with EV Charging	Status
Bridge Street Parking Lot	2 CPE250 DCFC Single Port	1 Standard 1 Van Accessible *4 existing Standard Accessible stalls with L2 ports*	Permit Submitted
Community Center	4 CT4000 L2 Dual Port 2 CT4000 L2 Single Port	8 Standard 1 Van Accessible 1 Standard Accessible	In Design – coordination with Los Rios Community College District

[1] The Police Station installation will also receive funding from a Yolo-Solano Air Quality Management District (YSAQMD) Clean Air Fund grant awarded to the City in 2020 to meet demand from employees for EV charging that site.

As the City cannot move forward with the Recreation Center site as part of the PiP program and given the SACOG Green Region grant commitments and remaining grant funding, City staff has identified the following sites for additional EVSE.

1. Lighthouse Charter School: *899 Bryte Avenue*
2. 15th and Alabama Parking Lot: *Northwest corner at 15th Street and Alabama*
3. 3rd Street and D Street On-Street Parking
4. 7th Street and Tower Bridge Gateway
5. Elkhorn Plaza Curbside

The inclusion of these three sites within the Kimley-Horn design contract requires an amendment to the scope of work and is proposed to increase the contract budget by $46,500, which exceeds the 10% contingency budget that Council approved in September 2021. As such, staff respectfully requests for City Council to amend the September 15, 2021 professional services contract with Kimley-Horn, as proposed in Attachment 1.

Environmental Considerations
Per Ordinance 17-16 adopted by the City Council on September 20, 2017, West Sacramento Municipal Code Chapter 15.09 Expediated Permitting Process for Electric Vehicle Charging Stations, the City provides an expedited permitting process for electric vehicle charging stations (CEQA Guidelines Section 15061(b)(3).

The PiP Program qualifies for Categorical Exemptions – Class 1 CCR §15301, Existing Facilities; Class 3 CCR §15303, New Construction or Conversion of Small Structures; Class 4 CCR §15304, Minor Alterations to Land; Class 6 CCR §15306, Information Collection; and Class 11 CCR §15311, Accessory Structures. This project consists of construction or replacement of electrical chargers at existing commercial, industrial, or institutional facilities. A limited number of new small equipment in the form of electric vehicle chargers and associated equipment will be added to existing facilities. This work will only require minor modifications, such as small amounts of trenching, extending electrical lines to the equipment, securing the electric vehicle chargers in place, restriping to indicate EV charging stalls and compliance with the Americans with Disabilities Act, and adding signage. One of the goals of the PiP Program is to collect data to verify the emissions reduction benefits of the use of EVSE and supporting infrastructure. No federal funding is in use for this project and, as such, will not be subject to NEPA. Staff is seeking City Council action to find the EVSE implemented through the PiP Program exempt from CEQA.

Commission Recommendation
An amendment to the Kimley-Horn Design of EV Charging Stations contract work does not present new policy implications which require Commission input.

Strategic Plan Integration
This directly supports the 2020 strategic plan goals of “Climate & Energy” and “Mobility and Connectivity” and directly implements the goals, strategies and tactics set forth by: 2040 General Plan, Mayors’ Commission on Climate Change, Mobility Action Plan, and forthcoming Climate Action Plan. This work is critical to supporting the City’s ambitious goals of reducing greenhouse gas emissions contributing to climate change and making EV ownership more accessible and convenient West Sacramento residents. The City selected priority locations based on electrical capacity, ease of development, distribution across the City, alignment with upcoming Mobility Hub locations identified in the Mobility Action Plan, and equity in supply charging stations that will support workplace and multifamily locations in the City’s disadvantaged communities.

Alternatives
The City Council may decide to:

1. Approve the recommended actions as stated above; or,

2. Make changes to the recommended actions; or,

3. Reject the recommended actions.

Staff recommends Alternative 1 as it provides the City the ability to meet the grant requirements of the SACOG Green Region grant. Alternatives 2 or 3 may result in delays to Phase 1 of the PiP, cost increases to the should the construction and installation bids for the sites be procured separately, or an inability to meet the grant completion deadline. Furthermore, Alternatives 2 and 3 are not recommended as this work is critical to implementing multiple City plans and goals to address climate change by encouraging EV adoption by residents through expanded access to EV charging infrastructure.

Coordination and Review
This report was prepared by the Transportation and Mobility Division of the Community Development Department and has been reviewed by the Planning Division, Finance Department, Capital Projects Department, Parks & Recreation Department and Community Development and Housing Department. In addition, coordination has occurred with external partner agencies including Pacific Gas & Electric, Sacramento Regional County Sanitation District, Los Rios Community College District, and Washington Unified School District.

Budget/Cost Impact
The PiP program (CIP 11036) is included in the current Capital Improvement Program with a total appropriation of $2.665 million in eligible local funds ($1,000,000 of Measure E and $1,665,000 of General Fund). The contract amendment is within the available remaining funds and no additional funding or appropriations are being requested at this time.

ATTACHMENT(S)
1. Contract Amendment #1 with Kimley-Horn and Associates, Inc.

AMENDMENT NO. 1
to the
CONTRACT FOR SERVICES
between the
CITY OF WEST SACRAMENTO
And
KIMLEY-HORN AND ASSOCIATES, INC.
Dated September 15, 2021

This Amendment No. 1 to the Contract for Services between the City of West Sacramento ("City") and Kimley-Horn and Associates, Inc. ("Consultant") dated September 15, 2021, is made and entered into this June 1, 2022. Except as expressly amended herein, the September 15, 2021 Contract for Services is in full force and effect.

RECITALS

WHEREAS, the City was awarded a Sacramento Area Council of Governments Green Region grant for the West Sacramento Plug-In Partnership Program; and

WHEREAS, the City Council approved a contract on September 15, 2021 with Consultant to provide professional services to assess, design and provide bid stages services in support of the installation of EV Charging Stations as part of the West Sacramento Plug-in Partnership Program (Phase 1); and

WHEREAS, City staff has identified additional engineering design and bid services needed to meet the requirements and to utilize remaining funds of the West Sacramento Plug-In Partnership Program;

WHEREAS, the City and Consultant desire to amend said contract.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto to amend said agreement as follows:

Part I: Amendments

A. Amendments to Main Contract Provisions

1. **Section 3.A** is revised as follows: "The Consultant shall be paid monthly for the actual fees, costs and expenses for all time and materials required and expended, but in no event shall total compensation exceed One Hundred Fifty-Nine Thousand Nine Hundred Dollars ($159,900), without the City's prior written approval. Consultant's fees shall be as specified in the Schedule of Fees, which is attached hereto an incorporated herein as Exhibit "A"."

B. Amendments to Contract Exhibits

I. SCOPE OF SERVICES:
The scope of services as set forth in the Contract for Services dated September 15, 2021, shall be revised to reflect the following:

- Task 1.2 Site Evaluation and Feasibility Analysis

  Kimley-Horn will conduct additional site evaluations for three (3) requested locations within the City of West Sacramento. The three (3) site evaluations will occur at the below locations:
  1. Lighthouse Charter School parking lot at 899 Bryte Ave, West Sacramento, CA 95605
  2. Alabama Avenue & 15th Street (200 15TH ST – northwest corner) Parking Lot
  3. D Street & 3rd Street
  4. 7th St & Tower Bridge Gateway (TBG)
  5. Elkhorn Plaza Curbside

For full outline of scope provided for site evaluations, please refer to section 1.3 of the original contract dated September 15, 2021. It is anticipated that this task will require 15 hours of effort.

Task 1.3 Preliminary Construction Plans

Kimley-Horn will conduct additional site evaluations for three (3) requested locations within the City of West Sacramento. The three (3) site evaluations will occur at the below locations:

Lighthouse Charter School
We understand the City intends to install (1) single-port Level 2 charger and (1) dual-port Level 2 charger at this location. We understand that this location has existing electrical infrastructure in place to power the proposed charging stations. The site evaluation will determine if existing electrical infrastructure is sufficient.

Alabama Avenue & 15th Street
We understand the City intends to install (3) DCFC (fast) chargers at this location. This location will take maximum effort to evaluate and determine civil & electrical design feasibility. Additional consideration for DCFC (fast) chargers has been included. The DCFC will require additional electrical capacity which will trigger additional coordination with the electric utility.

D Street & 3rd Street
We understand the City intends to install (4) DCFC (fast) chargers at this location. This location will take maximum effort to evaluate and determine civil & electrical design feasibility. Additional consideration for DCFC (fast) chargers has been included. The DCFC will require additional electrical capacity which will trigger additional coordination with the electric utility.

7th St & Tower Bridge Gateway
We understand the City intends to install a combination of Level 2 and DCFC (fast) chargers at this location. We understand that the intent is to install between 5-15 chargers of varying charge level at this site. This location will take maximum effort to evaluate and determine civil & electrical design feasibility. The amount of chargers, in combination with the request for DCFC (fast) chargers, will likely require additional electrical capacity which will trigger additional coordination with the electric utility.

Elkhorn Plaza Curbside
We understand the City intends to install a combination of Level 2 and DCFC (fast) chargers at this location. We understand that the intent is to install between 5-15 chargers of varying charge level at this site. This location will take maximum effort to evaluate and determine civil & electrical design feasibility. The amount of chargers, in combination with the request for DCFC (fast) chargers, will likely require additional electrical capacity which will trigger additional coordination with the electric utility.

Task 2: Permitting and Final Construction Drawings and Task 3: Bid Stage Services

Lighthouse Charter School, Alabama Avenue & 15th Street, D Street & 3rd Street, 7th Street & Tower Bridge Gateway, and Elkhorn Plaza Curbside will be included in Tasks 2 and 3.

II. COMPENSATION:

The compensation as set forth in the Contract for Services dated September 15, 2021 Exhibit A, Section 3.5 Cost Proposal shall be revised as follows:

- Revise Overall Project Kickoff as follows:

Overall Project Kickoff		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.1	Project Kickoff	$1,000
Task 1.2	Site Evaluation and Feasibility Analysis	$10,900
		$11,900

- Revise WS Recreation Center Site*

WS Recreation Center		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$922.50
Task 2	Permitting and Final Construction Drawings	
Task 3	Bid Stage Services	
	Total	$922.50

*** WS Recreation Center will not move forward. This is the amount the City has paid out to the Consultant for this site based on preliminary design work.**

- Add the following sites:

Lighthouse Charter School		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$7,577.50
Task 2	Permitting and Final Construction Drawings	$2,000
Task 3	Bid Stage Services	$1,500
	Total	**$11,077.50**

Alabama Avenue & 15th Street		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$8,500
Task 2	Permitting and Final Construction Drawings	$2,000
Task 3	Bid Stage Services	$1,500
	Total	**$12,000**

D Street & 3rd Street		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$8,500
Task 2	Permitting and Final Construction Drawings	$2,000
Task 3	Bid Stage Services	$1,500
	Total	**$12,000**

7th St & Tower Bridge Gateway		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$8,500
Task 2	Permitting and Final Construction Drawings	$2,000
Task 3	Bid Stage Services	$1,500
	Total	**$12,000**

Elkhorn Plaza Curbside		
Task #	Task Name	Fee
Task 1	Preliminary Design Stage	
Task 1.3	Preliminary Construction Plans	$8,500
Task 2	Permitting and Final Construction Drawings	$2,000
Task 3	Bid Stage Services	$1,500
	Total	**$12,000**

The scope change will increase the contract cost by Forty-Six Thousand Five Hundred Dollars ($46,500), and therefore the total compensation shall be amended from One Hundred and Thirteen Thousand Four Hundred Dollars ($113,400) to One Hundred Fifty-Nine Thousand Nine Hundred Dollars ($159,900).

Part II: Remaining Terms Unchanged.

Except as expressly revised herein, the Existing Contract remains in full force and effect. In the event of a conflict between the Existing Contract and the terms of this Amendment No. 4, the terms set forth herein shall control.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as the date herein set forth.

CITY OF WEST SACRAMENTO

By:_____
Aaron Laurel, City Manager

Kimley-Horn and Associates, Inc.

By:_____
Matthew Weir, Principal-in-Charge/Vice President

APPROVED AS TO FORM

By:_____
Jeffrey Mitchell, City Attorney

ATTEST:

By: _____
Jennifer Cusmir, City Clerk