



Date: March 14, 2019

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Steven W. Hicks, Director, General Services Department
Subject: Design Contract with Kimley-Horn & Associates, Inc. for the Third Fork Creek Phase 2 Trail Project (EB-5837)

Executive Summary

The General Services Department (GSD) has selected a design firm for the Third Fork Creek Phase 2 Trail. The purpose of this project is to construct a shared use path and sidewalks. The approximately 1.6 mile trail will be ADA accessible. This alternative transportation project will extend the existing Third Fork Creek Trail where it currently terminates at Southern Boundaries Park continuing northeast across E. Cornwallis Rd. to the American Tobacco Trail at Otis St. The design scope will address trail alignment, public access, connectivity to existing community amenities, engineering specifications, and permitting. When complete, this extension trail will provide safe transit for pedestrians and bicyclists through a primarily forested and residential corridor providing connection to Durham's existing greenway infrastructure.

GSD solicited qualification packages through the NCDOT Request for Letters of Interest process. The top candidate, Kimley-Horn, was selected by a committee with representatives from GSD, Durham Parks and Recreation (DPR), Transportation, Public Works (PW), and the Equal Opportunity and Equity Assurance (EOEA) departments. In November 2018 NCDOT issued a concurrence with the City's selection of Kimley-Horn.

Recommendation

The General Services Department recommends City Council approve the following motions:

To authorize the City Manager to execute a design contract with Kimley-Horn & Associates, Inc. for the Third Fork Creek Phase 2 Trail project in the amount of \$556,631.64;

To establish a contingency fund for the contract in the amount of \$83,368.36; and

To authorize the City Manager to negotiate and execute amendments to the design contract provided the total contract cost does not exceed \$640,000.00.

Background

In the 2018 City of Durham Resident Survey, respondents indicated greenways and trails should receive the most emphasis over the next two years in the Parks, Recreation, and Open Space category. Respondents also indicated the condition of sidewalks are a high priority.

The future Third Fork Creek Phase 2 Trail will be located approximately 2 miles south of downtown in Partners Against Crime (PAC) District 4. The following is a brief project history to date:

2011 – The trail is named as part of the American Tobacco Trail extension system in the Durham Trails and Greenways Master Plan.

2014 – The Durham Chapel Hill Carrboro Metropolitan Planning Organization in partnership with the City obtained federal funding through a competitive NCDOT transportation project program.

FY17-18 – City Council approves CIP project funding in the amount of \$748,670.00.

May 2018 – The City entered into a Municipal Agreement with NCDOT to accept federal grant project funding in the amount of \$2,854,000.00.

July 2018 – The Municipal Agreement was executed by NCDOT.

August 2018 – GSD advertised a Request for Letters of Interest to thirty-three NCDOT pre-qualified engineering design firms. Fifteen firms showed interest in the project and five submittals were received. A team of seven City staff representing five departments evaluated submittals and interviewed the two top firms. Kimley-Horn was selected by staff as the most qualified firm. The Kimley-Horn design team demonstrated a strong understanding of federally funded alternative transportation projects, the unique project scope, opportunities for innovation, the importance of connectivity to existing community amenities, and familiarity with local and State permitting and design review processes. Kimley-Horn's submittal included three subcontractors recognized as Underutilized Business Enterprises (UBE) and project goals set by EOEAs were exceeded.

Anticipated project schedule:

Design Notice to Proceed	Spring 2019
30% Design	Fall 2019
65% Design	Winter 2020
90% Design	Summer 2020
Right of Way Acquisition	Summer 2020
Bidding and Utility Relocation	Winter 2021
Construction Notice to Proceed	Spring 2022
Substantial Completion	Winter 2022

Issues and Analysis

The City identified the need for a multi-use alternative transportation corridor to serve residents. This trail corridor traverses the PAC 4 District. It will be comprised of 8-10' wide trails and sidewalks. Once complete, bicyclists and pedestrians will have access to the forested corridors along Third Fork Creek between Southern Boundaries Park and Weaver Street Park as well as multiple neighborhoods.

At design phase initiation, project engineers will assess the urban corridor to determine the most direct trail route taking into account existing infrastructure, public access to community amenities, environmental constraints, and constructability within the project budget. In addition to complying with federal grant stipulations, the design will comply with American Association of State Highway and Transportation Officials (AASHTO) standards.

In November 2018 the Neighborhood Improvement Services Department (NIS) presented an Equitable Engagement Blueprint to City Council. It has since been updated (January 2019) and is considered a living document. Plans for full implementation of the Blueprint continue to be

developed. This trail project was identified 8 years ago and staff acknowledges that the current movement towards equitable engagement was not in place at the onset of the project. However, staff has committed to honor the spirit of the Blueprint by integrating key principals into the project outreach model from here forward. Outreach will include an intentional effort to engage residents, businesses, and organizations beyond the standard for locally administered federal projects.

Staff from GSD, NIS, and DPR have met multiple times since November 2018 and are committed to collaborating in order to support the equitable engagement effort and the project schedule. The project team will solicit community feedback from respondents that represent the City’s diversity, specifically engaging with the people that are most affected by the project corridor. Additionally, the City will develop Equitable Engagement Plans in specific historically underrepresented communities.

Transportation infrastructure and ease of travel in Durham is consistently rated as a high priority in resident surveys. This 1.6 mile trail will provide safe pedestrian and bicycle passage from the existing Third Fork Creek Trail where it terminates at Southern Boundaries Park to the American Tobacco Trail south of downtown at Otis St. Infrastructure projects of this nature improve non-motorized mobility around Durham, address overdue infrastructure maintenance, provide safe road crossing, encourage physical fitness, and improved community health.

Alternatives

City Council could elect to not approve the design contract with Kimley-Horn and direct staff to continue scope and fee negotiations. If the contract is not approved, design Notice to Proceed will be pushed back affecting the schedule and likely increased project costs.

Financial Impact

Funds for this project are currently budgeted and available as follows:

FUNDING SOURCES

CIP FY 2018 Debt Financing	\$ 748,670.00
TAP federal grant	<u>\$2,854,000.00</u>
Total Revenues	\$3,602,670.00

PROJECT COSTS

Professional Services	\$ 825,431.64
Professional Services Contingencies	\$ 91,932.36
Right of Way Easements	\$ 30,000.00
Construction	\$2,240,000.00
Construction Contingencies	\$ 275,500.00
NCDOT Administrative Fee	\$ 102,744.00
Owner administrative tasks	\$ 1,062.00
Public Art	<u>\$ 36,000.00</u>
Total Expenditures	\$3,602,670.00

Equal Business Opportunity Summary

The EOEA Department reviewed the Kimley-Horn submittal package to determine if it was in compliance with Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are Minority Underutilized Business Enterprise (MUBE) 8% and Women-owned Underutilized Business Enterprise (WUBE) 6%. Both goals were exceeded.

UBE REQUIREMENTS

Kimley-Horn will subcontract to the following certified firms:

Firm	ID	City/State	Amount	% of Contract
MA Engineering Consultants, Inc.	MUBE	Cary, NC	\$76,657.57	13.8%
Falcon Engineering	WUBE	Cary, NC	\$41,852.85	7.5%
Three Oaks Engineering	WUBE	Durham, NC	\$33,999.43	6.1%

WORKFORCE STATISTICS

Total Workforce for Kimley-Horn:

Employment Category	Total Employees	Total Males	Total Females
Executive Officials and Managers	20	17	3
Officials and Managers	291	241	50
Professional	2611	1688	923
Technicians	304	222	82
Sales Workers	0	0	0
Clerical	203	10	193
Craft Workers	0	0	0
Operatives	0	0	0
Labor	0	0	0
Total	3429	2178	1251

UBE/SLBE REQUIREMENTS

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	Two or More Races*	None*
Executive Officials and Managers	17	0	0	0	0	0	0
Officials and Managers	224	1	9	6	1	0	0
Professional	1390	43	122	84	5	36	8
Technicians	167	15	29	3	0	3	5
Sales Workers	0	0	0	0	0	0	0
Clerical	8	0	2	0	0	0	0
Craft Workers	0	0	0	0	0	0	0
Operatives	0	0	0	0	0	0	0
Labor	0	0	0	0	0	0	0
Total	1806	59	162	93	6	39	13

*Category added per EEO-1 Report submitted by firm.

Female:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	Two or More Races*	None*
Executive Officials and Officials and Managers	3	0	0	0	0	0	0
Professional	46	0	1	2	0	1	0
Technicians	725	12	87	61	4	28	6
Sales Workers	56	4	12	6	0	4	0
Clerical	0	0	0	0	0	0	0
Craft Workers	132	20	23	5	0	13	0
Operatives	0	0	0	0	0	0	0
Labor	0	0	0	0	0	0	0
Total	962	36	123	74	4	46	6

*Category added per EEO-1 Report submitted by firm.

Attachments

Attachment A – Design contract

Attachment B – Project Map