



DATE: July 17, 2018

TO: Mayor and City Council

FROM: Interim Director of Public Works

SUBJECT: Sulphur Creek Mitigation Design Project at Hayward Executive Airport – Authorization to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., and Appropriation of Funds

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to negotiate and execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. (Kimley-Horn) in an amount not-to-exceed \$444,000 for Sulphur Creek Mitigation Design Project at Hayward Executive Airport; and authorizing the City Manager to accept a grant from the Federal Aviation Administration (FAA) for this project.

SUMMARY

The FAA determined that a portion of Sulphur Creek traversing through Hayward Executive Airport poses a potential safety hazard to aircraft that may veer off taxiways or runways in an emergency or for other reasons. The solution is to enclose the open channels of the creek as well as grade the immediate areas surrounding the channels.

The three-phased project is entering the second phase. Following the FAA's consultant selection criteria, staff recommends that Council approve the negotiation and execution of a professional services agreement with Kimley-Horn for the Sulphur Creek Mitigation design project in the amount of \$444,000. Staff further recommends that the City Manager be authorized to accept a grant from the FAA, which will reimburse the City for 90% of the total cost for this project.

BACKGROUND

A portion of Sulphur Creek crosses Hayward Executive Airport and flows to the San Francisco Bay. Approximately 412 feet of the creek flows in an open channel on the airfield within the Runway Safety Area of Runway 10L-28R. This poses a potential safety hazard in the event that an aircraft leaves the runway pavement due to an unforeseen incident or accident. Under

these circumstances, the aircraft could impact the open channel with the possibility of significant damage to the aircraft and injury to its occupants.

In 2007, the FAA Runway Safety Action Team (RSAT) recognized this potential safety issue and recommended that the City take steps to cover the open portions of the creek near the runway and grade the immediate area to a smooth surface. Airport staff subsequently contacted the FAA Airports District Office in San Francisco (SFO-ADO) and determined this project would be eligible for federal grant funding, under the Airport Improvement Program (AIP). However, the project and contract are contingent on receiving the grant from the FAA.

DISCUSSION

The purpose of a Runway Safety Area is to provide a prepared surface in the turf area surrounding a runway to reduce damage in the event of an aircraft undershoot, overshoot, or excursion from the runway. Enclosing the open channel in the Runway 10L-28R Runway Safety Area and grading the immediate area will provide important safety benefits to Airport users and the City. Since this potential safety hazard at the Airport was identified and funding is available to mitigate the hazard, staff recommends that this issue be addressed.

Before this safety improvement project can be constructed, it is necessary to complete an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA), prepare environmental documentation in compliance with the California Environmental Quality Act (CEQA), develop plans and specifications, and define mitigation steps necessary to move Sulphur Creek into enclosed culverts.

City staff selected a design consultant using a qualifications-based selection process in accordance with FAA Advisory Circular 150/5100-14E. A Request for Qualifications was emailed to a list of 12 consultants and was also available on the City's website from September 20 to October 30, 2017. Staff received a total of two proposals, which were evaluated according to objective criteria. Staff determined Kimley-Horn to be the most qualified firm because they have extensive experience designing similar projects for several similarly-sized airports in the Bay Area. Furthermore, Kimley-Horn demonstrated knowledge and experience with FAA standards for such projects.

In accordance with FAA funding procedures, this project must be completed in three phases. The first phase consisted of an environmental review and preliminary design; the NEPA documentation for this phase was approved by the FAA in May 2016. The delay between NEPA approval and the commencement of the design phase is primarily because funding for the Sulphur Creek project was deferred until FY 2018 to permit the urgent pavement rehabilitation of Runway 10R-28L in late 2016. The delay was also the result of personnel changes, and the research time necessary to become acquainted with the project and draft an RFQ for design services. The next two phases, which include a California Environmental Quality Act (CEQA) review, design and construction, each involve separate grant approvals. Staff estimates a total of \$3.7 million for the remaining two phases of the project.

Based on the scope of work for the CEQA/design phase and subsequent negotiations, the consultant submitted a cost proposal of \$444,000. The City, SFO-ADO, and a required Independent Fee Estimate determined the cost proposal to be reasonable. The cost of the CEQA will be directly related to the extent of work needed to meet the CEQA requirements. Staff recommends approval of a contract in an amount not-to-exceed \$444,000, inclusive of any additional services.

ECONOMIC IMPACT

No economic impact is associated with this item.

FISCAL IMPACT

The Design Phase project costs are as follows:

Consultant	\$444,000
Administration	<u>\$156,000</u>
TOTAL:	\$600,000

Most of the cost for the final two phases of the project will be reimbursed through grants from the FAA covering 90 percent of the actual cost; another match of 5% will be provided through Caltrans’ Division of Aeronautics.

The adopted FY 2019 Capital Improvement Program (CIP) includes \$600,000 for the design phase and \$3.1 million for the construction phase, or \$3.7 million total. Staff anticipates that the FAA will reimburse \$3.33 million of this total. A summary of funding sources is noted in the table below:

AGENCY	AMOUNT	PROJECT PHASE
FAA (90%)	\$ 540,000	Design
FAA (90%)	\$2,790,000	Construction
Caltrans (5%)	\$ 185,000	Construction
City of Hayward (match of 5%)	\$ 185,000	Design and Construction
Total	\$3,700,000	

STRATEGIC INITIATIVES

This agenda item is a safety and maintenance-related item and does not directly support any of the three Strategic Initiatives.

SUSTAINABILITY FEATURES

The Airport is committed to developing projects that are environmentally responsible. Therefore, staff will ensure than all plans proposed by the consultant incorporate features that are in line with the City's sustainability guidelines. It should be noted that the channel can be enclosed through one of two mitigation measures: 1) bank payments via mitigation credits; or 2) mitigate the creek in an alternate location. Kimley-Horn will review all available options and recommend the most effective process.

PUBLIC CONTACT

Council Airport Committee (CAC) discussed the Sulphur Creek project on several occasions since 2008. Last discussions occurred during CAC meetings held on April 23, 2015 and April 28, 2016. As part of the scope of work, the consultant will prepare a public outreach plan to include key messages, core audiences, and public involvement activities to support the development and release of the draft design. The public outreach plan will ensure that interested members of the public will have an opportunity to provide input, the interests of participants will be communicated to decision makers, and that participants are provided with information needed to participate in a meaningful way.

NEXT STEPS

Award Contract and Authorize Acceptance of Grant	July 17, 2018
Complete CEQA Documentation and Final Design	November 2019
Begin Construction	April 2020
Complete Construction	July 2020

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Interim Director of Public Works

Approved by:



Kelly McAdoo, City Manager