21-757 **Agenda Date: 7/6/2021**

REPORT TO COUNCIL

SUBJECT
Action on Amendment No. 4 to the Agreement for Professional Services with Perkins + Will for the Tasman East Specific Plan and Related Budget Amendment

COUNCIL PILLAR
Promote and Enhance Economic, Housing, and Transportation Development

BACKGROUND
In 2016, the City conducted a competitive Request for Proposal (RFP) for professional services to assist City staff with preparation of a Specific Plan and an associated Environmental Impact Report (EIR) for the Tasman East Focus Area. Through this process, Perkins + Will was selected and awarded an agreement with a completion date of September 30, 2017. (See attached Attachment #2 for Executed Original Agreement and Agenda Report.)

In October 2017, the agreement was amended to include additional traffic modeling to determine the Specific Plan's impact on greenhouse gas emissions and to incorporate those revisions into the EIR as well as well as the Specific Plan document. (See attached Attachment #3 for Executed Amendment No. 1 and Agenda Report.)

In January 2019, the agreement was amended to include additional outreach with key stakeholders and to finalize the environmental analysis that was needed to complete the Specific Plan process. (See Attachment #4 for Executed Amendment No. 2 and Report to Council.)

In August 2019, the agreement was amended for Perkins + Will to perform additional analysis related to maintaining the Primavera sewer lift station in its current location and reconfiguring the proposed Calle del Sol extension into a pedestrian paseo. (See Attachment #5 for the Executed Amendment No. 3 and Report to Council.)

The Tasman East Specific Plan was adopted by the City Council in November 2018. Of the 4,500 units supported through the adopted specific plan, developers have submitted applications for a total of 4,484 units on approximately two-thirds of the available land development area. Given the continued demand to provide new housing in the Tasman East area, the opportunity to gain additional unit yield within an area already planned for housing, and the benefit of building out a complete residential mixed-use neighborhood as envisioned within the Specific Plan, the City is considering creating additional capacity in the Tasman East area by preparing an amendment to the Specific Plan and conducting environmental clearance to add 1,500 residential units within the Tasman East Specific Plan boundaries. To undertake the process, the City is proposing to amend its contract with Perkins + Will, the planning consultants used for the original specific plan.
The proposed contract amendment for $275,000 would increase the not-to-exceed amount to

$1,461,432 and extend the agreement through June 30, 2022.The scope of tasks and budget to develop a Specific Plan Amendment to allow up to an additional 1,500 residential units in Tasman East include:

- $52,000 for the preparation of the Specific Plan Amendment document including the updated land use plan and diagrams;
- $106,000 to conduct Level of Service and Vehicle Miles Traveled traffic analysis;
- $6,500 to update existing utility conditions which may have changed since the original Specific Plan preparation and make recommendations for potential infrastructure upgrades or future analyses that may be required to accommodate the projected demands;
- $84,984 to prepare the Subsequent Environmental Impact Report for the project in accordance with the California Environmental Quality Act; and
- $25,516 to be available for contingency purposes.

In addition to the required environmental review for 1,500 additional units, the contract amendment would also include a transportation analysis that details the effects of additional traffic on surrounding roadways, and a building form study to determine if additional design controls are necessary as a part of updating the specific plan to create more residential capacity.

The proposed Amendment No. 4 was initially discussed at the March 9, 2021 City Council meeting. During the Council discussion some Councilmembers expressed concern with approving the contract and thus allowing preparation of an amendment to the Specific Plan that would allow up to an additional 1,500 housing units without first better understanding the City's strategy for providing amenities to support the additional housing growth. Because the Amendment costs would be funded by a grant received by the City, approval of the contract and associated budget action requires five affirmative votes from the City Council. Following the discussion on March 9, the City Council voted 4 -3 in favor of approving the contract Amendment and therefore did not approve the requested Amendment. The City Council then directed staff to return to the City Council with additional information on proposed amenities.

In April 2021 the American Planning Association California Chapter Northern Section selected the Tasman East Specific Plan as the 2021 winner of the Chapter's Award of Excellence for a Large Jurisdiction Comprehensive Plan. In nominating the Specific Plan for this award the City highlighted the Plan's focus on placemaking and amenities that contribute toward the development of a complete neighborhood.

DISCUSSION

At the March 10, 2021 City Council meeting, in response to the Council's questions about the proposed contract amendment and overall planning approach for the Tasman East Specific Plan, staff provided the following information:

1. The proposed amendment would allow staff to engage a consultant and begin the process of preparing an update to the Specific Plan.
2. The planning process would provide opportunity to address the Council's concerns regarding planning for parklands and amenities as part of the proposed Specific Plan amendment.
3. The number of units to be added to the Specific Plan has not been finalized. The contract amendment is described as allowing up to 1,500 residential units to be added to the 4,500 already supported by the Specific Plan.
4. The City Council previously reviewed staff proposal to amend the Specific Plan to add more

units and approved the City's application for a grant to fund the planning work.

5. The City received a grant of $310,000 from the State for the proposed Specific Plan amendment. This grant would fully fund the consultant costs and is intended to be applied to project's that add to the City's housing capacity.
6. Implementation of the Specific Plan has been very successful, with 4,485 units (of the 4,500 available) in the permitting process, including two 100% affordable projects, one of which is now under construction (Attachment 1).

Following discussion, the City Council directed staff to continue the item for a full presentation at a future meeting. Staff will provide a presentation at the July 6, 2021 City Council hearing. The following additional information is being provided in advance of the meeting to support the presentation.

Development Activity

The City has received eleven project applications within the Tasman East Specific Plan area (Attachment 2). These applications generally account for all of the units available (4,485 of 4,500), but utilize only about 65% of the Plan area. Notably, these include two 100% affordable projects and a senior housing project that will provide a mix of traditional senior units, as well as assisted and memory care units. The architecture and construction type also varies considerably between the projects.

Public Parklands and Open Space

The Tasman East Specific Plan will include a mix of public and private amenities. Public amenities include public park space, publicly accessible privately owned spaces (e.g., plazas, parklets and greenways), and private amenities (located within buildings and accessible to residents of the building). As part of the development of the Specific Plan, staff reviewed the Specific Plan open space strategy with the City Council on multiple occasions and per the direction of the City Council, the amount of open space was increased from 5 acres (public parkland) to 10 acres (5 acres of public parkland plus 5 acres of privately owned open space with private open spaces areas counted as 50% of their area). This approach was formally adopted as the Specific Plan Open Space Framework (Attachment 3).

Pending or approved projects include dedication for approximately 3.78 of the 5.0 acres planned for the area. This is consistent with the Open Space Framework in that 1.0 of parkland is planned for the Central area which has not yet had project in the vicinity of the planned park. The balance of 0.22 acres is accounted for by the fact that the 100% affordable St. Anton project utilizes an exception to the City's dedication requirement as allowed under State law for 100% affordable housing projects.

Eventual development within the Central area would be expected to deliver the 1.0 acres of dedicated parkland planned for that area. However, as part of the proposed process to prepare an Amendment to the Specific Plan, staff is recommending that the appropriate amount of parkland be evaluated and increased along with the proposed addition of residential units.

Applications on file as designed would deliver 4.58 acres of Open Space as defined in the Specific Plan. Like the planned park areas, one component of the Open Space, the greenways, is also tied to specific areas of the Plan and would be further expanded as development proceeds within the Central and Station districts. A significant portion of the Open Space area is however tied to

development and so a greater portion has been achieved with the initial applications. As with the parkland, the planned amount of open space could be increased as part of the preparation of a Plan amendment.

Attachment 4 illustrates the combined parkland and open space area (8.36 acres) provided through the initial planning applications which each project site plan overlayed upon the existing condition aerial photo.

On-site Amenities
Each of the projects includes a considerable amount of on-site amenities for their residents. As an illustration of this, the amenities for five of the projects are listed in Attachment 5. Residents will have access to swimming pools, BBQ facilities, co-working space, a variety of lounges, fitness centers, game rooms, etc.

Local Context
Calle de Luna will serve as the new 'main street' for the Tasman East neighborhood, including a mix of restaurants and other retail uses. It is also significant that the neighborhood is adjacent to the Related Santa Clara development which will provide ready access to a wide variety of restaurants and other recreational amenities.

Reason for Contract Amendment
While the original contract with Perkins + Will was intended to be comprehensive, the first two amendments (Amendment No 1 and Amendment No 2) were necessary to address the need for additional environmental analysis identified through the initial environmental review process and to address changes in CEQA requirements. As the City undertook implementation of the Specific Plan, it further became apparent that modifications to the Plan would be helpful to achieve the City's objective of supporting the near-term development of much needed housing while also maintaining the overall Plan goals and objectives. The current amendment is desirable as it would allow the City to further achieve those goals and objectives by allowing additional residential development within the Plan area. Amendments to Specific Plans are not unusual as issues can be identified through implementation of the Plan that were not anticipated at the beginning of the planning process when the original contract scope was developed. In this case, the success of the Plan and the strong housing market have resulted in an accelerated implementation process and the need to amend the consultant contract to make amendments to the Plan in the near term.

ENVIRONMENTAL REVIEW

The Tasman East Specific Plan was analyzed under an EIR adopted and certified by the City Council on November 13, 2018. An addendum to the Environmental Impact Report that provided additional analysis related to the Calle del Sol paseo was prepared in conjunction with Amendment No. 3, which was adopted by the Council on November 17, 2020. A Subsequent Environmental Impact Report (SEIR) that details the changes to the environment based on the expanded scope will be prepared in accordance with the scope of work proposed under this Amendment.

FISCAL IMPACT

The project is being funded through the State's Planning Grants program. The proposed amendment was specifically funded by the Planning Grants Program, and the City of Santa Clara was awarded $310,000 for this purpose (Attachment 6). This is a reimbursable grant, so the following budget

amendment is recommended to appropriate the full grant award. As the City meets deliverables within this grant, staff will apply for reimbursement of costs. The remaining $35,000 of the grant funding will be used to cover costs related to City-completed Water and Sewer technical reports, recordation fees, mailings, public outreach, and other project expenses.

FY 2021/22 Budget Amendment

	Current Budget	**Increase / (Decrease)**	**Revised Budget**
Other City Departments Operating Grant Trust Fund			
Revenue			
Grant Funding - State's Planning Grants Program	$0	$310,000	$310,000
Expenditures			
Planning Grants Program	$0	$310,000	$310,000

COORDINATION
This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>

RECOMMENDATION
1. Consistent with **City Charter Section 1305** , "*At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the* ***affirmative votes of at least five members*** *so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,"* approve the FY 2021/22 budget amendment in the Other City Departments Operating Grant Trust Fund to recognize grant revenue in the amount of $310,000 and establish a Planning Grants Program appropriation in the amount of $310,000 (five affirmative council votes required to appropriate additional revenue); and
2. Authorize the City Manager to execute Amendment No. 4 to the Agreement with Perkins + Will for professional services to prepare the Amendment to the Tasman East Specific Plan to allow up to 1,500 additional units in the Tasman East area, along with preparation of the associated environmental clearance by increasing the amount of the agreement by $275,000 and extending the term of the agreement through June 30, 2022 for a revised not-to-exceed maximum compensation of $1,461,432.

Reviewed by: Andrew Crabtree, Director, Community Development Department

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Tasman East St. Anton Project under construction
2. Tasman East Planning Applications
3. Tasman East Specific Plan Open Space Framework Diagram
4. Tasman East Green Spaces
5. Tasman East Project Amenities
6. Amendment No. 4 with Perkins + Will
7. Original Executed Agreement and Agenda Item #13.B
8. Amendment No. 1 and Agenda Item #13.B6
9. Amendment No. 2 and RTC 19-1515
10. Amendment No. 3 and RTC 19-736
11. Planning Grants Program (PGP) Award Letter

EBIX Insurance No. S200003424

AMENDMENT NO. 4
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
PERKINS + WILL, INC.

PREAMBLE

This agreement ("Amendment No. 4") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Perkins + Will, Inc., Delaware corporation (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. The Parties previously entered into an agreement entitled "Agreement for Professional Services by and between the City of Santa Clara, California, and Perkins + Will, Inc.", dated April 29, 2016 (Agreement);

B. The Agreement was previously amended by Amendment No. 1, dated October 27, 2017, Amendment No. 2 dated February 4, 2019, and Amendment No. 3 dated August 27, 2019, and is again amended by this Amendment No. 4. The Agreement and all previous amendments are collectively referred to herein as the "Agreement as Amended"; and

C. The Parties entered into the Agreement as Amended for the purpose of having Contractor prepare the Tasman East Specific Plan, and the Parties now wish to amend the Agreement as Amended to prepare an amendment to the approved Tasman East Specific Plan, to draft a Subsequent Environmental Impact Report, to increase the amount of compensation, and to extend the agreement through June 30, 2022, subject to the appropriation of funds.

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

1. Section 5 of the Agreement as Amended, entitled "Term of Agreement", is hereby amended to read as follows:

   "Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of the Agreement shall begin on the Effective Date of this Agreement terminate on June 30, 2022."

2. Exhibit A of the Agreement as Amended, entitled "Additional Scope of Services ", is hereby amended to read as shown in Fourth Revised Exhibit A, Scope of Services, attached and incorporated into this Amendment No. 4.

3. Exhibit B of the Agreement as Amended, entitled "Budget for Additional Scope of Services", is hereby amended to read as shown in Fourth Revised Exhibit B, Fee Schedule, attached and incorporated into this Amendment No. 4.

4. Except as set forth herein, all other terms and conditions of the Agreement as Amended shall remain in full force and effect. In case of a conflict in the terms of the Agreement as Amended and this Amendment No. 4, the provisions of this Amendment No. 4 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 4 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form:
Alexander Abbe for
Digitally signed by Alexander Abbe for
Date: 2021.08.25 09:42:51 -07'00'
BRIAN DOYLE
City Attorney

Dated: 8/25/2021

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

PERKINS + WILL, INC
A DELAWARE CORPORATION

Dated: 18 February 2021
By (Signature): Geeti Silwal
Name: Geeti Silwal
Title: Principal-in-Charge
Principal Place of Business Address: 2Bryant Street, Suite 300
San Francisco, CA 94107
Email Address: geeti.silwal@perkinswill.com
Telephone: (415) 856-3000
Fax: (415) 856-3001

"CONTRACTOR"

FOURTH REVISED EXHIBIT A
SCOPE OF SERVICES

The additional services to be performed for the City of Santa Clara ("City") by the Contractor under this Amended Agreement are set forth below. The additional services include contributions from Perkins & Will (Contractor) and the following subcontractors: BKF, Fehr & Peers, David J. Powers & Partners, and Strategic Economics.

1. Perkins & Will shall provide the following services:

1.1. Task 1: Contractor will make any necessary edits to the Specific Plan Report, including any changes from Fehr & Peers (F+P) and David J. Powers & Partners (DJP&A).

1.2. Task 2: Contractor will provide overall management of consultant team and client interface (for approximately 52 weeks, which DJP&A states is the required duration for subsequent Environmental Impact Report).

1.3. Task 3: Contractor will evaluate the impacts on urban form of an increase of up to 1,500 units on properties within the site boundary that have not yet been included in the known 'pipeline' projects of developers, either on file or pending applications. This Task 3 deliverable may be included within the Specific Plan Report; or it may be maintained as a separate document for the benefit of CSC Staff to understand the dynamics of development opportunities and the impacts of the potential consolidation of properties.

1.3.1. Contractor will build an 'existing conditions' base model, including 3D modeling, of the 3,949 residential units in the planning pipeline (based on information provided by City staff or the proponents), plus all other existing buildings.

1.3.2. Contractor will investigate various scenarios, specific below, for how the remaining units might be accommodated on site, in compliance with the approved design controls (tower separation, densities, etc.) in the Specific Plan Report.

- With no further consolidation of properties (this approach may not even yield 6,000 units because of the size of the non-consolidated properties, but it will provide a new 'benchmark' of how much development could be anticipated if each property owner redeveloped independently)
- With modest consolidation of properties
- With widespread consolidation of properties

1.3.3. Contractor shall prepare visuals for review and comment by City staff and optional City Council study session.

1.3.4. Contractor will incorporate City feedback and finalize deliverables, showing a realistic range of options for how development may occur.

1.3.5. Contractor will develop any necessary additional massing controls and building design guidelines to ensure additional development will be compliant with the City's expectations.

2. BKF Scope of Services

2.1. See Appendix A.1 incorporated herein.

3. Fehr & Peers Scope of Services

3.1. See Appendix A.1 incorporated herein.

4. David J. Power & Associates (DJP&A) Scope of Services

4.1. See Appendix A.1 incorporated herein.

4.2. Assumptions by DJP&A:

4.2.1. Given that this EIR will be focused on issues related to the development increase DJP&A only assumed one Administrative Draft EIR and then a Screencheck version prior to printing, to reduce the overall schedule.

4.2.2. DJP&A have allowed 10 weeks for the TIA after the City approves the trip generation assumptions (approximately four (4) months total).

5. Strategic Economics Scope of Services

5.1. Per correspondence with City staff, the market study and fiscal impact analysis do not need to be updated for this project. In the absence of a clearly defined scope of services Strategic Economics will be available on-call for advisory services to City staff and other members of the design team. This would potentially include qualitative assessment and guidance regarding potential changes to the plan area's mix of land uses and their locations. Any on-call work would be funded from the project contingency and be subject to prior approval from City staff.

Exhibit A Appendix A.1

Subcontractor Scope of Services

1. BKF Scope of Services

Task 1: Evaluate Infrastructure Impacts

Scope of Work: BKF will meet with City of Santa Clara Water and Sewer Utilities Department, Silicon Valley Power, and PG&E to update existing conditions that may have changed since 2017. This research will include documenting any known upgrades to downstream sewer mains and pump stations that have been implemented or are planned, as well as improvements to the transmission and distribution systems for gas, water and electricity. Additionally, BKF will update documents prepared in 2017 to add 1,500 residential units to the proposed development scenarios and make recommendations for potential infrastructure upgrades or future analyses that may be required to accommodate the projected demands. The updated documents will include sewer and water demand projections that can be used by City Staff to prepare a Water Supply Assessment and perform further hydraulic analyses in-house as-needed.

35 Estimated Hours

2. Fehr & Peers Scope of Services

TASK 1: SPECIFIC PLAN UPDATE

Fehr & Peers will work with the Perkins + Will team to update relevant sections of the Tasman East Specific Plan. Based on discussions with the City, Fehr & Peers understand there is a desire to update select portions of the specific plan, potentially including parking, TDM, street layout, and related circulation policies. Fehr & Peers have allocated up to 48 hours for this task.

TASK 2: TRANSPORTATION IMPACT ANALYSIS

Fehr & Peers will prepare a Transportation Impact Analysis (TIA) for use in the Specific Plan EIR.

The operations of up to 20 intersections and 20 freeway segments will be evaluated during the weekday morning (AM) and evening (PM) peak hours for the scenarios as shown below. If the project size is large enough such that more than 20 intersections could potentially be impacted and the City determines there

is a need to include additional intersections, Fehr & Peers will analyze more intersections for an additional fee.

Scenario 1: *Existing Conditions* - Existing volumes obtained from counts representing peak traffic conditions during the morning and evening commute periods, plus previously approved trips from the current version of the Tasman East Specific Plan.

Scenario 2: *Background Conditions* - Existing volumes plus traffic from approved but not yet constructed and unoccupied developments in the area, including Phases 1-3 of City Place and previously approved trips from the current version of the Tasman East Specific Plan.

Scenario 3: *Background Plus Project Conditions* - Background volumes from Scenario 2 plus project traffic.

Scenario 4: *Cumulative No Project Conditions* – Fehr & Peers will use VTA's model refined for the proposed City Place Project, which includes approved trips from the current version of the Tasman East Specific Plan.

Scenario 5: *Cumulative Plus Project Conditions* – Scenario 4 volumes plus traffic generated by the Project.

Fehr & Peers will use the VTA Transportation Impact Analysis Guidelines and the TRAFFIX software package to analyze transportation impacts and intersection operations. Freeway segments will be analyzed in accordance with VTA guidelines. The TIA will also address potential impacts to transit service, bicycle activity, and pedestrian activity.

Task 2.1: Initial Trip Generation Estimates, Data Collection and Evaluation of Existing Conditions

Under this task, Fehr & Peers will develop vehicle trip generation estimates, along with trip distribution, and trip assignment for the proposed project. Initial project vehicle trip generation estimates, distribution patterns, and assignments will be submitted to City staff for review and will be refined if necessary to respond to their comments.

Once the final scope is approved by the City, Fehr & Peers will compile and review the available background documents relevant to the study area. Fehr & Peers will collect the following information for transportation facilities within the project area:

Motor Vehicle Traffic: Fehr & Peers has budgeted for analysis of up to 20 intersections and 20 freeway segments, to be confirmed by the City once initial

trip generation estimates are developed. The final set of intersections and freeways segments will be selected based on consultation with the City. Due to the current COVID pandemic, Fehr & Peers will not conduct new traffic counts at any new intersections. Instead, Fehr & Peers will use previous counts provided by the City and apply a reasonable growth factor to estimate traffic volumes that would exist under ordinary, non-pandemic conditions.

This task includes a site visit to observe peak hour transportation operations, obtain lane configurations, and other site specifics such as physical characteristics of the site and the surrounding transportation network.

Transit, Pedestrian and Bicycle Conditions: Fehr & Peers will also update the description of existing transit service, bicycle conditions and pedestrian conditions in the vicinity of the Specific Plan.

Task 2.2: Evaluate No Project Conditions

Fehr & Peers will evaluate a No Project scenario under Background and Cumulative Conditions. Volumes for Background Conditions will be derived accounting for approved, but not yet constructed projects in the Plan area.

Volumes for Cumulative Conditions will be obtained from the City Place version of the VTA's travel demand model. The City Place version of the VTA travel demand model has been validated and calibrated.

Task 2.3: Evaluate Project Conditions

Fehr & Peers will adjust the volumes developed in the Background and Cumulative No Project scenario to account for improvements to circulation and transportation demand management strategies from the Project. Once estimates of vehicle trip generation have been developed, the directions of approach and departure of trips will be estimated based on the locations of complementary land uses, existing travel patterns in the area, and proposed modifications of the roadway network. The project vehicle trip generation estimates, distribution pattern, and assignments will be refined to respond to comments received from City staff. Intersection LOS calculations will be conducted to estimate the LOS of the study locations during the AM and PM peak hours after completion of the proposed project.

Task 2.4: VMT Analysis

VMT has been adopted as a statewide metric for evaluating project transportation impacts in accordance with SB 743 and guidance prepared by the Governor's Office of Planning and Research (OPR). VMT is presumed to be less than

significant due to the Specific Plan area's proximity to high-frequency transit; as a result Fehr & Peers will not conduct a quantitative analysis of VMT but will instead qualitatively discuss why VMT effects are expected to be less than significant.

VTA's new VMT Evaluation Tool will be used to support the qualitative assessment and confirm the Specific Plan area meets eligible VMT screening criteria. A more detailed quantitative analysis of VMT effects can be completed as an optional task.

Task 2.5: Transit Delay Analysis for Buses and Rail Routes

Fehr & Peers will conduct a transit delay analysis for buses and rail routes in the vicinity of the Specific Plan. For the purposes of this task, transit network performance will be analyzed during the AM and PM peak hour based on the average transit vehicle delay associated with congestion at signalized intersections along a specified corridor with and without the Project.

The change in average transit vehicle delay will be determined using the following process:

- Review Traffix analysis software output for intersection delay. The average delay, by movement, at each intersection within a study corridor in the transit vehicle path of travel will be determined.
- The transit vehicle average delay due to congestion at intersections will be determined by summing the movement delay for each signalized intersection along the study transit corridor. The effects of transit signal priority or preemption will not be considered.
- Without and With Project average transit vehicle delay associated with congestion at intersections will be compared. Note that the transit vehicle dwell time at transit stops is not included in the analysis.

The City of Santa Clara and the VTA do not have documented standards related to transit corridor performance associated with congestion resulting from new development projects. The agencies also do not have a documented method for determining which transit corridors should be analyzed. For purposes of this study, the following routes within one mile of the Specific Plan area and that have full day service with a frequency of 30 minutes or less will be analyzed:

- VTA Orange Line – Tasman Drive: North First Street to Great America Parkway
- VTA Green Line – Tasman Drive: North First Street to Great America Parkway

- Route 57 – Great America Parkway: Mission College Boulevard to Tasman Drive
- Route 59 – Great America Parkway: Mission College Boulevard to Tasman Drive

Potential mitigation measures will consider improvements such as increased transit service frequencies, improved pedestrian/bicycle access, and other improvements to enhance transit travel and reduce conflicts with general automobile traffic.

A transit capacity analysis is neither required as part of the VTA TIA Guidelines, nor is in the latest Governor's Office of Planning and Research (OPR) guidance. As a result this task will focus primarily on transit delay, rather than transit capacity. However, given the nature of the Specific Plan and its proximity to transit, Fehr & Peers propose to qualitatively evaluate the Project's effect on transit capacity at the Great America station, although this may not be identified as a Project impact.

Task 2.6: Identify Significant Operational Impacts, Recommend Mitigation Measures

The results of the analysis for the Project will be compared to the results for the corresponding No Project Conditions for the scenarios as described above to identify roadway impacts. Significant transportation impacts will be identified based on the City of Santa Clara's non-CEQA operational standard and in keeping with current state of the practice. If significant operational impacts are identified, Fehr & Peers will recommend feasible mitigation measures, such as TDM strategies and other innovative methods.

A morning and evening left-turn queuing evaluation will be conducted under Existing and Background Conditions at impacted intersection locations. Specifically, Fehr & Peers will compare the 95th percentile queues from TRAFFIX output between the appropriate No Project and Plus Project scenarios. This analysis will be conducted for up to ten movements at locations where the project adds enough traffic that available storage may need to be modified. Per TIA guidelines, the queuing evaluation is required for only the near- term analysis and will not be conducted for Cumulative Conditions.

A freeway ramp queuing analysis will be conducted for freeway ramp intersections to confirm that project trips will not result in queue backups to the project mainline or require modifications to ramp metering rates. Ramp analysis will be conducted for all study intersections with on- or off-ramps and will be evaluated for Existing and Background scenarios. Queue lengths will be reported based on Traffix analysis outputs only; no additional analysis of queuing using other traffic analysis software programs is assumed to be part of this task.

The effect of the project on transit, bicycle, and pedestrian facilities will be evaluated in terms of conflicts with existing or planned facilities or creation of hazardous conditions for bicyclists or pedestrians. Similarly, Fehr & Peers will ensure efficient linkages with existing and potential future transit, bicycle and pedestrian facilities. Fehr & Peers will present specific mitigation measures that ensure adequate pedestrian, bicycle, transit, and automobile circulation within the project site and integration with the area's existing facilities.

Task 2.6: Documentation

Fehr & Peers will document our findings in a report that will include text, graphics, and tables to describe study analysis methods and results, the potential impacts of the proposed project, and corresponding mitigation measures. Fehr & Peers will submit one hard copy of the Administrative Draft TIA report and one separately bound appendix, plus one electronic version for review by the City. This scope assumes up to 24 staff hours to respond to all comments on the Administrative Draft TIA report and prepare the Draft TIA.

Fehr & Peers will submit the Draft TIA report and Appendix for review by the City, VTA, and other agencies as applicable. This scope assumes up to 16 staff hours to respond to comments on the Draft TIA report received from the City of Santa Clara. Once the comments have been incorporated, Fehr & Peers will produce a Final TIA report and submit one hard copy and one electronic copy to City staff. Each copy will have the report and appendices bound separately.

Deliverables:

- Administrative Draft Transportation Impact Analysis
- Agency Draft Transportation Impact Analysis
- Final Transportation Impact Analysis Chapter/Appendix for the Draft EIR

Task 2.7: Response to Comments

Fehr & Peers will prepare response to comments received during the public review period regarding transportation and circulation.

Deliverables:

- Response to comments in written form

TASK 3: EIR CERTIFICATION AND ADOPTION

Fehr & Peers will assist with updates to the TIA to be included in the Final EIR based off comments received in Task 2 as well as changes adopted by either the Planning Commission or City Council.

Deliverables:

- Updated/Revised Transportation Impact Analysis Chapter/Appendix for the Final EIR

TASK 4: MEETINGS

Fehr & Peers will participate in up to 6 project team conference calls as part of this task. Fehr & Peers will also attend up to 2 public hearings as part of Specific Plan adoption.

3. David J. Powers and Associates (DJP&A) Scope of Services

Per California Environmental Quality Act (CEQA) Guidelines Section 15162, 15163, and 15164, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that substantial changes to the project or circumstances under which the project is undertaken would result in new or greater significant impacts than previously disclosed in the certified EIR.

Modifications to the TESP may have significant impacts on air quality, greenhouse gas emissions, noise, and transportation. These resource sections will be addressed in a Subsequent EIR (SEIR), as described below.

Preparation of the Subsequent EIR

Kick-Off Meeting and Subsequent EIR Initiation

DJP&A will attend one SEIR kick-off meeting with the City and the project team to discuss the project, further refine the SEIR scope as needed, identify alternatives, and coordinate the scheduling and preparation of the SEIR.

Project Description and Notice of Preparation

DJP&A will draft a project description and provide it to the City and Perkins + Will to review for accuracy. The project description will be based on project information to be provided by Perkins + Will. A preliminary list of project information needed is included on page 8 of this scope of work. Once the project description is finalized, DJP&A will prepare the SEIR NOP.

DJP&A will prepare the NOP for circulation by the City of Santa Clara. The NOP will include a brief project description, project location map, and discussion of potential environmental effects of the project. This scope includes DJP&A attendance at one public scoping meeting for the project. The text of the SEIR will incorporate relevant issues raised in the responses to the NOP received during the 30-day NOP circulation period.

Initial Study

DJP&A will prepare an Initial Study which will be incorporated in the SEIR as an appendix to focus the SEIR on potentially significant issues pursuant to CEQA Guidelines Section 15178. The significant issues are discussed further below.

Preparation of Administrative Draft Subsequent EIR

DJP&A will prepare a SEIR consistent with the requirements of CEQA and the City of Santa Clara. The SEIR will include an introduction, summary, project description, environmental setting, discussion of environmental impacts, and mitigation measures to reduce significant impacts. The primary issues anticipated to be addressed in the SEIR are air quality, greenhouse gas emissions, noise, and transportation, as described

Introduction

The introduction to the SEIR will describe the purpose of the SEIR, provide a general overview of the CEQA process, and describe the public participation process and opportunities for input.

SEIR Summary

A summary of the SEIR will include a brief description of the proposed project and identify the impacts of the project and proposed mitigation measures in tabular format. The summary will also briefly describe the project alternatives and address any known areas of public controversy.

Project Description

The SEIR will include a project description identifying the revised development totals anticipated in the Plan Area. The project description will also include a list of project objectives, necessary discretionary actions, and decision-making agencies. Maps and graphics will be provided to illustrate the text.

Existing Environmental Setting, Impacts, and Mitigation Measures

The Administrative Draft SEIR will discuss those resource areas found to be potentially significant in the Initial Study analysis and/or those areas required to be included in the SEIR. The SEIR will provide: 1) a detailed description of the existing environmental setting; 2) impacts that may result from the proposed project; and 3) feasible mitigation measures to avoid or reduce impacts to a less than significant level. A discussion of the project's consistency with applicable plans and policies will be included with particular attention given to inconsistencies, if any are identified.

Based upon DJP&A current understanding of the project, DJP&A anticipate the key environmental issues for the project will include the following resources:

- **Air Quality** – The SEIR will evaluate air quality impacts from construction and operational emissions. Under contract with DJP&A, an air quality and greenhouse gas (GHG) assessment will be completed by Illingworth & Rodkin, Inc. (I&R) to assess impacts related to the proposed project. Construction air quality impacts associated with the project will be addressed by predicting construction period regional criteria pollutant emissions. The latest version of the CalEEMod model will be used to quantify emissions. New sensitive receptors would be placed near sources of toxic air contaminants (TACs) and fine particulate matter (PM2.5). The previous air quality assessment will be updated using screening data provided by the Bay Area Air Quality Management District (BAAQMD). The SEIR will identify existing sources of TACs and PM2.5 in the TESP area and their concentrations. These levels will be compared against BAAQMD CEQA thresholds (i.e., cancer risks of 10 cases per one million).
- **Greenhouse Gas Emissions** – GHG emissions would be computed using the CalEEMod model that is recommended by BAAQMD, as described above for air quality emissions. Default inputs for the Bay Area would be used in the model along with local information regarding transit, pedestrian, and bicycle modes of travel that would replace vehicle trips. The CalEEMod model would compute annual emissions that include traffic and indirect sources such as natural gas, electricity use, water usage, and generation of solid waste that is stored in landfills. The change in emissions compared with existing land uses assumptions would be evaluated. According to the latest version of the BAAQMD CEQA Air Quality Guidelines, GHG impacts from General Plans should be evaluated based on emissions per capita. The GHG analysis would work with City staff to develop a GHG per capita emission threshold, since plan development is anticipated to occur beyond 2020, where the BAAQMD thresholds become obsolete.
- **Noise** – The project proposes to increase the number of dwelling units and office space in the TESP area. I&R will prepare a brief noise memo which will calculate noise generated by construction activities and project-generated traffic at nearby sensitive land uses. The SEIR will assess the impacts of project construction and operation on residences in the vicinity of the Plan Area.
- **Transportation** – Modifications to the project would increase potential peak hour project- generated trips. Under contract with Perkins + Will, Fehr & Peers will prepare a Vehicle Miles Traveled (VMT) analysis per Senate Bill 743. Additionally, Fehr & Peers will update the Traffic Impact Analysis that was prepared previously for the plan area. The SEIR will analyze, at a program-level, impacts from any transportation improvements required for the project.

Pursuant to CEQA, the SEIR will also include a discussion of cumulative impacts; alternatives; growth inducing impacts; significant, unavoidable impacts; significant

irreversible environmental changes; references; and lead agency and consultants. Upon completion of the Administrative Draft Subsequent EIR, DJP&A will submit up to five hard copies of the document to the City for review and comment.

Draft Subsequent EIR and Notice of Completion

Revision of Administrative Draft Subsequent EIR/Preparation of Draft Subsequent EIR

Once the City provides DJP&A with comments on the Administrative Draft Subsequent EIR, DJP&A will revise the document and submit an electronic copy of the Screencheck Draft SEIR to the City for final review and comment. DJP&A will make any final revisions to the Screencheck Draft SEIR and prepare the Draft SEIR for public circulation. DJP&A will provide the City with up to 20 hard copies of the Draft SEIR for public distribution, a PDF of the document for posting on the City's website, as well as 15 CDs for the State Clearinghouse.

Notice of Completion

DJP&A will prepare the Notice of Completion (NOC), in accordance with the CEQA and City of Santa Clara requirements. The NOC will include a brief description of the project, the project location, and will state where copies of the Draft SEIR are available for review. DJP&A will submit an electronic draft of the NOC to the City for review and comment. DJP&A will revise and finalize the NOC based on City comments. DJP&A will transmit the NOC and copies of the Subsequent EIR to the State Clearinghouse on behalf of the City. This scope assumes the City will prepare a Notice of Availability and file it with the County Clerk.

Final Subsequent EIR, Mitigation Monitoring and Reporting program, and Other Related Items

Preparation of Final Subsequent EIR

Upon completion of the 45-day Draft SEIR circulation period, DJP&A will prepare an Administrative Draft Final SEIR. The Final SEIR will contain the following:

- List of persons and agencies who commented on the Draft SEIR;
- Responses to comments on the Draft SEIR;
- Revisions to the SEIR text, as necessary; and
- Copies of letters received on the Draft SEIR.

This scope of work assumes approximately 20 hours of Principal Project Manager time and 40 hours of Project Manager time to respond to comments. If additional effort is required to respond to the comments, it can be completed on a time and materials basis, in accordance with the fee schedule.

An electronic copy of the Administrative Draft Final SEIR will be submitted to City Staff for review. The document will be revised per the comments received, and DJP&A will provide up to 35 copies of the Final Subsequent EIR to the City for public distribution. DJP&A will also provide the City with a PDF of the document for posting on the City's website.

Preparation of Mitigation Monitoring and Reporting Program

DJP&A will prepare a draft MMRP for the project. The MMRP will summarize the mitigation measures identified, when mitigation measures will be implemented, who will be responsible for implementation, and who will provide oversight. DJP&A will submit a draft of the MMRP for the City's use with the Screencheck SEIR.

Findings

Although DJP&A are not attorneys and do not prepare legal findings, DJP&A will assist City Staff and the City Attorney in compiling information from the SEIR for findings required under CEQA Guidelines Section 15091, if requested to do so.

Notice of Determination

DJP&A will prepare a Notice of Determination (NOD), in accordance with CEQA and City of Santa Clara requirements. The NOD will include a brief project description, date of project approval, determination of the project's environmental effects, mitigation measures and conditions of approval, statement whether overriding considerations were adopted, and the location where the Final SEIR and record of project approval may be examined.

DJP&A will submit an electronic copy of the draft NOD for the City's review. Based on comments received from the City, DJP&A will revise and finalize the NOD. An electronic copy of the finalized NOD will be submitted to the City.

Meetings and Hearing Attendance, Project Management

Attendance of Meetings and Hearings

This scope of work includes DJP&A attendance at up to two project meetings and two public hearings (e.g., one Planning Commission hearing and one City Council hearing). DJP&A can attend additional public hearings or meetings requested on a time and materials basis.

Project Management

DJP&A will provide project management, contract administration, and coordination with the City and project team throughout the SEIR process. The DJP&A Project Manager will coordinate with the City on a regular basis using email and telephone communications.

Estimated Schedule

DJP&A proposes the following optimum schedule for preparation of the SEIR. DJP&A can commit to maintain the schedule in the areas that are within DJP&A control. Completion of the Subsequent EIR, as outlined in the schedule below, is based upon receipt of project information listed on the following page in accordance with the schedule. Delays in receiving requested information or responses by others will result in at least day-for-day delays in the overall schedule.

Task	Duration of Task	Time Elapsed
1. DJP&A receives authorization to proceed and requested project information	---	1 day
2. DJP&A completes project description and submits to Perkins + Will for review	1 week	Week 1
3. DJP&A receives comments on the project description from Perkins + Will and completes revisions	1 week	Week 2
4. Project Kick-Off Meeting	--	Week 2
5. DJP&A completes notice of preparation (NOP) and submits to City for review	1 week	Week 3
6. Fehr & Peers submits trip generation estimates to City for approval	2 weeks	Week 2
7. City completes review of NOP and provides comments to DJP&A	2 weeks	Week 5
8. DJP&A completes revisions to NOP based on City comments	0.5 week	Week 5
9. City approves trip generation estimates	4 weeks	Week 6
10. NOP circulation	4 weeks	Week 9
11. I&R completes air quality and GHG and noise analysis (4 weeks after traffic data is available)	6 weeks	Week 12
12. Fehr & Peers completes VMT/Traffic Impact Analysis	10 weeks	Week 16
13. City staff completes Sanitary Sewer Capacity Analysis	10 weeks	Week 16

Task	Duration of Task	Time Elapsed
14. City staff completes Water Supply Assessment*	13 weeks	Week 19
15. Preparation and Submittal of the Administrative Draft Subsequent EIR*	4 weeks	Week 23
16. Review of Administrative Draft Subsequent EIR by City Staff	5 weeks	Week 28
17. DJP&A Revises Administrative Draft Subsequent EIR, Prepare Screencheck	3 weeks	Week 31
18. Review of Screencheck Subsequent EIR by City Staff	2 weeks	Week 33
19. DJP&A Revises Screencheck Subsequent EIR and Print Subsequent EIR for Circulation	1 week	Week 34
20. Draft Subsequent EIR Circulates for 45-day Public Review	6 weeks	Week 40
21. DJP&A Prepares Administrative Draft Final Subsequent EIR	3 weeks	Week 43
22. City Staff Reviews Administrative Draft Subsequent EIR	3 weeks	Week 46
23. DJP&A Revises and Submits Screencheck Subsequent EIR	2 weeks	Week 48
24. City Staff Reviews and Approves Screencheck Final Subsequent EIR	1 week	Week 49
25. DJP&A Revises Screencheck Subsequent EIR and Prints Subsequent EIR for Circulation	1 week	Week 50
26. City Circulates Final Subsequent EIR for 10 days	1.5 weeks	Week 52
Total	+/-	
* Preparation of the Water Supply Assessment and the Sanitary Sewer Capacity Analysis can be done concurrently. The timing of the start of the analyses is contingent on other projects in the queue.		

Project Information Required

DJP&A scope and schedule are based on the assumption that DJP&A will receive the below project information concurrent with the authorization to proceed.

Perkins + Will shall provide DJP&A any and all revisions to the TESP/project description in a timely manner. If DJP&A submits an environmental review document based upon an obsolete project description, the environmental review schedule and potentially DJP&A's budget may increase, due to additional time required to revise the document and the need for possible updates to technical reports.

Plans (in PDF)

- Revised TESP pages

Project Details

- Written description of the project, including maximum development assumptions
- Utility improvements (if any)
- Right of way improvements (if any)
- Project objectives

Technical Reports

- Traffic Impact Analysis
- Water Supply Assessment
- Water Hydraulic Modeling Analysis
- Sanitary Sewer Hydraulic Modeling and Capacity Analysis

Fourth Revised Exhibit B
Fee Schedule

1. **Fees**
   1.1. For the additional services described in the Fourth Revised Exhibit A, the cost of said services are as follows:

Contractor	**Amount**
Perkins + Will	$52,000
Fehr & Peers	$106,000
BKF	$6,500
Strategic Economics	On-Call[1]
David J. Powers & Associates	$84,984
SUBTOTAL AMENDMENT NO. 4	**$249,484**
Contingency	$25,516
TOTAL AMENDMENT NO. 4	**$275,000**
Original Agreement Not-To-Exceed	$759,425
Amendment No. 1	$194,870
Amendment No. 2	$186,587
Amendment No. 3	$45,550
REVISED NOT-TO EXCEED AMOUNT	**$1,461,432**

[1]Strategic Economics services are on-call and should their services be required any payments would come from the contingency amount.

2. **MAXIMUM COMPENSATION**
   2.1. The maximum compensation the City will pay Contractor for all services provided under this Agreement shall not exceed **One Million Four Hundred Sixty-One Thousand Four Hundred Thirty-Two Dollars ($1,461,432)** during the Term of the Agreement.