



DATE: March 17, 2025

TO: Mayor and Members of the Foster City Council

VIA: Stefan Chatwin, City Manager
Marlene Subhashini, Assistant City Manager

FROM: Andrew Brozyna, Public Works Director
Laura Galli, Engineering Manager
Francine Magno, Senior Civil Engineer
Claire McWilliams, Assistant Engineer

DEPARTMENT: Public Works

SUBJECT: AGREEMENT WITH FEHR AND PEERS IN THE AMOUNT OF
\$130,000 FOR PROFESSIONAL TRANSPORTATION PLANNING
AND ENGINEERING SERVICES FOR THE FOSTER CITY
BICYCLE AND PEDESTRIAN MASTER PLAN (BPMP) PROJECT

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing:

1. The Mayor to execute an agreement with Fehr and Peers in the amount of \$130,000 for professional transportation planning and engineering services for the Foster City Bicycle and Pedestrian Master Plan Project; and
2. A project contingency in the amount of \$20,000 with authorization given to the City Manager to execute contract amendments up to the contingency amount; and
3. The designation of the Foster City Traffic Review Committee as the Bicycle and Pedestrian Advisory Committee for the purposes of the BPMP project, as required by the Transportation Development Authority (TDA) Article 3 Grant terms; and
4. Find that the Project is categorically exempt pursuant to CEQA Guidelines Section 15306 – Information Collection.

EXECUTIVE SUMMARY

The Foster City Bicycle and Pedestrian Master Plan (BPMP) Project aims to improve cycling and walking conditions throughout the City. Staff solicited proposals for professional transportation planning and engineering services to assist with the development of a BPMP. Fehr and Peers was selected through a qualification-based selection process. The attached resolution authorizes the award of an agreement with Fehr and Peers in the amount of \$130,000 and establishes a \$20,000 project contingency. The proposed fees have been negotiated and determined reasonable based on the scope of services. Funding in the amount of \$160,000 is available for this project, half of which will be reimbursed by a grant secured from the TDA. The remaining half is from the General Plan Maintenance Fund, which is funded separately from the General Fund. City Council's approval of the attached resolution will allow Fehr and Peers to proceed with the development of the BPMP.

BACKGROUND

In July 2023, the San Mateo County Civil Grand Jury published a report entitled "Bike Safety in San Mateo County," which contained recommendations to enhance and promote bike safety and usage. Recommendation Five (R5) stated that "each city, town, and unincorporated county should update or generate a new Bicycle and Pedestrian Master Plan if their current plan is older than five years." Currently, Foster City does not have a Bicycle and Pedestrian Master Plan, although the City previously performed a Bicycle Network Assessment and Safe Routes to School Assessment in 2018. Funding was included in the City's budget to prepare a Bicycle and Pedestrian Master Plan in conformance with the Grand Jury's recommendation.

On September 18, 2023, the City/County Association of Governments (C/CAG) issued a Call for Projects under the TDA Article 3 Pedestrian and Bicycle Program FY 2023/2024. In November 2023, the City of Foster City submitted the BPMP Project and requested grant funding in the amount of \$80,000 from C/CAG. In May 2024, C/CAG notified the City that the project was selected by the C/CAG Board to be recommended for MTC's final approval. On August 28, 2024, the MTC approved allocations of TDA funds to the City for the BPMP Project, offsetting half of the City's currently budgeted funds.

Staff developed a Request for Proposal (RFP) for professional transportation planning and engineering services to facilitate the development of a BPMP. On November 4, 2024, the City Council adopted City [Resolution No. 2024-116](#), approving the RFP for the BPMP and authorizing staff to begin consultant selection.

ANALYSIS

Consultant Evaluation

Subsequently, the RFP was distributed to various consulting firms and was posted on the Foster City website. Despite broad outreach to qualified consultants, only one proposal was submitted for consideration. Following the submittal deadline, staff performed outreach to all prospective firms that did not propose and received the following feedback:

- Several consultants voiced limited availability due to existing commitments, which prevented them from submitting a proposal.
- Perceived competition between firms led some consultants to drop out of the RFP process and prioritize other projects.
- Two consultants projected higher project costs than the City had budgeted. Based on market research performed by staff, the City's budget was found to be adequate for the scope of work.

As such, it would not have been in the City's best interest to restart the advertising process and solicit proposals again. Staff determined it was prudent to proceed with evaluating the sole proposal from Fehr and Peers. An evaluation committee consisting of staff members from the Public Works and Community Development Departments reviewed the proposal. Following the review process, the evaluation committee determined that Fehr and Peers is well qualified for the project. Fehr and Peers demonstrated an in-depth understanding of the project scope and met the criteria established by the RFP.

Fehr and Peers has a positive track record based on their experience on previous Foster City projects including the 2018 Bike Network Assessment and Safe Routes to School projects, which are both foundational to the Foster City BPMP. Furthermore, Fehr and Peers is deeply acquainted with Foster City, as it has performed various traffic studies as part of EIRs for several of the City's Development projects in past years. Utilizing their services for the BPMP will allow Fehr and Peers to build on their previous work and provide continuity in planning, ensuring that the strategies developed are aligned with earlier assessments and tailored to the City's evolving needs. Their familiarity with Foster City's infrastructure and goals will also contribute to a more efficient and seamless process, which was reflected in their well-calibrated cost proposal.

Overall, Fehr and Peers has demonstrated the quality of work it provides in transportation planning and engineering services throughout the state in the contracts it had with Sonoma County, the City of South San Francisco, and the San Diego Association of Governments. In addition, Fehr and Peers has completed similar Bicycle and Pedestrian planning projects with the City of Redwood City, San Leandro, and Emeryville.

City Council's approval of the attached resolution will allow Fehr and Peers to proceed with the development of the BPMP. Staff anticipates that the BPMP will be completed by December 2025.

TDA Article 3 Grant Funding Requirements

As part of the terms of the TDA Article 3 grant, the City must designate a Bicycle and Pedestrian Advisory Committee (BPAC) to review deliverables and provide input throughout the process. For the purposes of this project, the Traffic Review Committee (TRC) will act as the City's BPAC for the Foster City BPMP development and ultimately endorse the plan for adoption by City Council.

Additionally, TDA grant funding is made available to recipients through a reimbursement process. The reimbursement process requires recipients to submit an annual certified fiscal and compliance audit, in accordance with Section 99245 of the Public Utilities Code, for the fiscal year in which funds are requested for reimbursement. Staff will hire a third-party auditor to perform the required audit. Staff anticipate that the audit will be completed by December 2026, after which grant funds will be disbursed back to the City.

CEQA

The approval of the award of the contract to Fehr and Peers is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this project is categorically exempt pursuant to CEQA Guidelines section 15306 (Class 6-Information Collection) as Fehr and Peers will be providing data collection, research and resource evaluation activities, on behalf of the City, which do not result in a serious or major disturbance to an environmental resource. These services are part of a study leading to an action which a public agency has not yet approved, adopted or funded.

FISCAL IMPACT

The proposed fees in the amount of \$130,000 have been negotiated and determined reasonable based on the scope of services. Additionally, a project contingency in the amount of \$20,000 or approximately 15% of the agreement amount is recommended to pay for additional services resulting from unforeseen circumstances. Funding in the amount of \$160,000 is available in the General Plan Maintenance Fund for the project, including the cost of the fiscal audit. The General Plan Maintenance Fund is supported by building permit fees, collected at the time of permit issuance and provides a dedicated funding source for future General Plan updates and zoning and building code updates without relying on the General Fund.

TDA Article 3 grant funds in the amount of \$80,000 will be disbursed to the City upon approval of reimbursement request to MTC and submission of the fiscal audit. Any reimbursed funds will be returned to the City.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Infrastructure and Facilities

ATTACHMENTS:

Attachment 1 –Resolution
Attachment 2 – Agreement