



DATE: August 21, 2023

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager

FROM: Andrew Brozyna, Public Works Director  
Justin Lai, Public Works Senior Civil Engineer  
Amy Zhou, Public Works Assistant Engineer

DEPARTMENT: Public Works

SUBJECT: APPROVING A TASK ORDER WITH HEXAGON  
TRANSPORTATION CONSULTANTS, INC. FOR ON-CALL  
TRAFFIC ENGINEERING AND TRANSPORTATION SERVICES  
IN THE AMOUNT OF \$66,000 TO PERFORM THE 2023  
ENGINEERING AND TRAFFIC SURVEY

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## RECOMMENDATION

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

1. The Mayor to execute Task Order HEX-2023-11 with Hexagon Transportation Consultants, Inc. in the amount of \$66,000 to conduct the 2023 Engineering and Traffic Survey under the Master Professional Traffic Engineering and Transportation Services Agreement; and
2. The establishment of a contingency for Hexagon Transportation Consultants, Inc. in the amount of \$7,000 with authorization given to the City Manager or his designee, to execute contract amendments up to the contingency amount; and
3. Finding approval of the Task Order exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061(b)(3).

## EXECUTIVE SUMMARY

Engineering and Traffic Surveys (E&TS) are required to be conducted every five years in order to maintain or modify posted speed limits for valid speed enforcement. The current E&TS was conducted in 2016, with an extended expiry date of December 19, 2023, in compliance with renewal provisions outlined in the California Vehicle Code (CVC) and 2014 California Manual on Uniform Traffic Control Devices (CA-MUTCD). The 2016 E&TS validity cannot be further extended, and new surveys must be conducted and reviewed before the expiry date to ensure continuous valid speed enforcement. Task Order HEX-2023-11 will provide for on-call professional traffic engineering services by Hexagon Transportation Consultants, Inc. (Hexagon) to complete the 2023 E&TS.

Funding has been budgeted and is available in the Engineering operating budget. The City Council action will allow staff to award the project with anticipation of surveying occurring during September and October, a final report in November, and Council consideration by December 19, 2023. The timeline is necessary to ensure continuous valid speed enforcement.

## **BACKGROUND**

Valid Engineering and Traffic Surveys (E&TS) are required by the California Vehicle Code (CVC) to enforce posted speed limits.

Based on the CVC Sections 40801, 40802(a), and 40803, the following conclusions can be drawn regarding current speed limits in Foster City:

1. Streets and roads classified as Local on the functional classification system do not require an E&TS to justify radar enforcement of the prima facie speed limit of 25 mph.
2. Streets classified as an Alley do not require an E&TS to justify radar enforcement of the prima facie speed limit of 15 mph when speed limit signs have been erected giving notice thereof.
3. Streets and roads classified as Minor Arterial or Collector on the functional classification system require that an E&TS be completed every five years before the speed limits on these streets can be enforced by radar. Otherwise, the roadways are considered “speed traps” and cannot be considered evidence in allegations of speed limit violations.

The current E&TS was conducted in 2016 and served as a basis to establish the current posted speed limits as accepted and adopted per City Resolution No. 2016-94 on December 19, 2016. The E&TS was set to expire on December 19, 2021.

The validity of the survey was extended by two years, with a new expiration date of December 19, 2023, at the discretion of former Interim Public Works Director Ray Towne in compliance with renewal provisions outlined in CVC Section 40802(c)(2)(B)(i)(I) and the 2014 California Manual on Uniform Traffic Control Devices

(CA-MUTCD), the official standard for traffic control devices. The E&TS renewal time extension was transmitted to the Superior Court, Traffic Division on October 25, 2021.

Since the current speed surveys are expiring on December 19, 2023, new surveys are needed to maintain or modify speed limits for valid speed enforcement.

On July 18, 2022, the City Council/EMID Board adopted Resolution Nos. 2022-87 and 3665 and approved a Master Professional Traffic Engineering and Transportation Services Agreement with Hexagon under which the City/District can access on-call traffic engineering and transportation services to carry out specific tasks with the approval of a Task Order by the City/District Manager or City Council/EMID Board (depending on the scope of the task) from July 18, 2022 through July 17, 2025.

Hexagon was selected through a competitive process, in accordance with the City's purchasing policy, and was selected to provide on-call Traffic Engineering Services along with two other firms. Hexagon is qualified to conduct an E&TS given their experience in the transportation planning sector and their reputation within the San Francisco Bay Area.

## ANALYSIS

Hexagon will conduct the E&TS per CVC 627 and the CA-MUTCD across all minor arterials and collectors, totaling to 33 segments and unchanged from the 2016 E&TS. On each segment, Hexagon will obtain speed measurements by radar gun and/or tube for a minimum of 100 vehicles, obtain collision data, update new directional average daily traffic volumes, and conduct a field review of factors that might not be apparent to the driver and/or are relevant to the determination of speed limits. In addition to conducting the E&TS, a final report will be provided for study documentation.

The final report will contain the following items:

- A table describing the existing speed zones in the City,
- A description of the methodology used for the engineering and traffic surveys,
- A summary of the results of the engineering and traffic surveys,
- A table describing the proposed speed zones in the City, and
- A copy of the E&TS worksheet for each location.

Speed limits recommendations will be established in accordance with CA-MUTCD, which call for the following actions:

- 1) Rounding to the nearest 5 miles per hour (mph) increment from the 85<sup>th</sup> percentile speed determined by the E&TS for the segment, or
- 2) Reducing by 5 mph from the nearest 5 mph increment the 85<sup>th</sup> percentile speed, in compliance with CVC Sections 627 and 22358.5, or
- 3) Rounding down to the nearest 5 mph increment speed below the 85<sup>th</sup> percentile speed when rounding up is required, if no further reduction is used per CVC

Section 21400 (b).

If approved, the contract would call for the following timeline:

### **Estimated Timeline**

Project Kick-Off	August 2023
Engineering and Traffic Surveying	September – October 2023
Final Report	November 2023

The timeline will allow accurate and timely results. The surveying is to occur during September and October to ensure traffic during the school year is accounted for. The final report is expected to be completed by November, so the results can be reviewed for speed limit modifications by City staff and brought to Council for approval in December, before or on the E&TS deadline of December 19, 2023, to provide continuous valid speed enforcement.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense” exemption, the proposed E&TS is an activity that can be seen with certainty to have no possibility for causing a significant effect on the environment.

### **FISCAL IMPACT**

The proposed fees in the amount of \$66,000 have been determined reasonable based on the scope of services. Additionally, a project contingency in the amount of \$7,000 or approximately 10% of the contract amount is recommended to pay for additional services to mitigate unforeseen tasks or for additional services that may be required. Funding for the E&TS is available in Account No. 001-0910-431-4251.

### **CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA**

Facilities and Infrastructure  
Public Safety and Social Equity

### **ATTACHMENTS:**

Attachment 1 – Resolution  
Attachment 2 – Task Order