



CITY COUNCIL AGENDA STATEMENT



July 9, 2019

File ID: 19-0231

TITLE

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2019-20 CIP BUDGET BY APPROPRIATING \$400,000 FROM UNANTICIPATED REVENUE FROM LEXINGTON INSURANCE COMPANY TO THE CAPITAL IMPROVEMENT FUND FOR CVEATC PEDESTRIAN BRIDGE REPAIR PROJECT (GGV0241) AND APPROPRIATING \$40,000 FROM THE CHULA VISTA ELITE ATHLETE TRAINING CENTER FUND TO GGV0241 (4/5 VOTE REQUIRED)

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE EXISTING CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND KIMLEY-HORN AND ASSOCIATES, INC. INCREASING THE ANNUAL NOT-TO-EXCEED AMOUNT TO \$750,000 FOR THE TERM ENDING OCTOBER 31, 2019

RECOMMENDED ACTION

Council adopt the resolutions.

SUMMARY

On February 1, 2018, the Chula Vista Elite Athlete Training Center (CVEATC) pedestrian bridge collapsed due to a vehicle collision. Thereafter, the City filed a claim with Lexington Insurance Company ("Lexington") and Lexington made an initial partial payment on the claim of \$250,000. Per Resolution No. 2018-178, City staff created the CVEATC Pedestrian Bridge Repair project (GGV0241) and the City Council appropriated the \$250,000 received from Lexington to the project. Lexington recently made an additional partial payment on the claim in the amount of \$400,000. This item would appropriate this additional partial payment of \$400,000, and an additional \$40,000 from the Chula Vista Elite Athlete Training Center Fund, for a total \$440,000, to Capital Improvement Project (CIP) GGV0241.

After issuing a Request for Proposal to the City's on-call consultants, Kimley-Horn and Associates (KHA) was selected as the design consultant for the CVEATC Pedestrian Bridge Repair project. KHA's total cost for design services is \$341,171.40, which exceeds KHA's current annual not-to-exceed amount. City staff recommends increasing KHA's annual not-to-exceed amount for the term ending October 31, 2019 by \$250,000, for a total annual not-to-exceed limit of \$750,000, and increasing the total agreement not-to-exceed amount to \$2,250,000.

ENVIRONMENTAL REVIEW

The proposed Project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities) and Section 15303 class 3 (New Construction or

Conversion of Small Structures). Notwithstanding the foregoing, it has also been determined that the Pedestrian Bridge Repair in the Chula Vista Elite Athlete Training Center was adequately covered in previously adopted/certified Environmental Impact Report, EIR 89-11 and Supplemental Environmental Impact Report, SEIR 89-11 for the Olympic Training Center. Thus, no further environmental review is necessary.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not Applicable

DISCUSSION

Per Resolution No. 2018-178, City staff created the CVEATC Pedestrian Bridge Repair project (CIP GGV0241) for the design and repair of the CVEATC bridge and guard house. City staff filed a claim with the Lexington and Lexington made an initial partial payment on the claim in the amount of \$250,000. City then appropriated that \$250,000 to the project. Lexington recently made an additional partial payment on the claim in the amount of \$400,000. Staff recommends appropriating the \$400,000 received from Lexington, in addition to \$40,000 from the Chula Vista Elite Athlete Fund, for a total of \$440,000, to CIP GGV0241 in order to complete the design for the project. Lexington has stipulated that City staff costs will not be reimbursable, therefore, only Consultants will be retained for design and repair services.

On February 22, 2019, Engineering staff issued a Request for Proposal to the Civil Engineering on-call consultants for the design of the CVEATC Pedestrian Bridge Repair project. KHA was selected as the design consultant for the project, for a total cost of \$341,171.40. Per Resolution No. 2017-178, the City entered into agreements with KHA, NV5, Rick Engineering Company, and TYLin International for civil engineering consulting services for various City projects. The annual not-to-exceed amount under the on-call agreements is \$500,000. The City is in the second year of a two-year agreement with KHA with the current term set to expire on October 31, 2019. The agreement has two (2) one-year optional extension periods.

The proposal to complete the design services for the CVEATC Pedestrian Bridge Repair would exceed KHA's current annual not-to-exceed limit of \$500,000. Due to the additional civil engineering consulting services required for CIP GGV0241, City staff recommends increasing KHA's annual not-to-exceed limit by \$250,000 for the term ending October 31, 2019, for a new annual not-to-exceed limit of \$750,000, and a new total agreement not-to-exceed amount of \$2,250,000.

Upon completion of the design phase, which includes Plans, Specifications, and Estimate (PS&E), the City will return to the Council to appropriate additional funds required to complete the construction phase of the project. City staff will coordinate with Lexington Insurance Company for the remaining undisputed balance to complete the project.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the Council members and has found that Stephen Padilla Council Member District 3 has property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. However, the decision solely concerns repairs, replacement or maintenance of existing streets, water, sewer, storm drainage or similar facilities. Consequently, pursuant to California

Code of Regulations Title 2, sections 18702.2(a)(7) or (8), this item does not present a real property-related conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The operations of the Olympic Training Center support the Economic Vitality goal as the City will be able to maximize the use of this valuable asset as an economic driver. Continued operations will also support the Healthy Community goal because it will provide the highest level of fitness, training and nutrition for elite athletes (both resident and visiting). Fitness, training and nutrition education and activities are also expected to be continued and expanded for local residents and programs.

CURRENT-YEAR FISCAL IMPACT

Approval of Resolution A will appropriate \$440,000 to CIP GGV0241 to cover design costs associated with the bridge and guard house repairs and cover staff costs associated with oversight of the project. Therefore, this is no direct impact to the General Fund.

For Resolution B, all fees for Consultant's services will be paid from funds already allocated for CIP GGV0241. The two-year agreement is eligible for two one-year extensions upon mutual agreement. The preliminary bridge repair estimate ranges from \$1.1 to \$2.3 million. Staff will return to Council to appropriate funds for construction after concurrence of the project scope from the Insurance provider.

ONGOING FISCAL IMPACT

Upon completion of the project, the improvements will require routine maintenance.

ATTACHMENTS

1. KHA Original Agreement
2. KHA First Amendment to Original Agreement

Staff Contact: Yan Fen Liu, Assistant Engineer