



# CITY COUNCIL AGENDA STATEMENT



March 17, 2020

File ID: 19-0388

## TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND MOFFATT AND NICHOL TO PROVIDE PRELIMINARY ENGINEERING, ENVIRONMENTAL DOCUMENTATION, AND FINAL DESIGN FOR THE HERITAGE ROAD BRIDGE REPLACEMENT PROJECT (STM0386); AND APPROPRIATING \$250,000 FROM THE AVAILABLE BALANCE OF THE TDIF FUND AND \$685,222 OF HIGHWAY BRIDGE PROGRAM FUNDS BASED ON UNANTICIPATED REVENUE TO STM0386 (4/5 VOTE REQUIRED)

## RECOMMENDED ACTION

Council adopt the resolution.

## SUMMARY

The Third Amendment to Moffat and Nichol's (M&N) agreement and budget appropriation will provide the required funds necessary to facilitate completion of the Caltrans Bridge Type Selection (BTS) conditional concurrence requirements, secure regulatory permits from environmental agencies, produce final design Plans, Specifications, and Estimates (PS&E), and advertise the construction contract. The Conditions of Concurrence BTS have resulted in an overall \$691,269 consultant increase for the bridge design cost.

The Highway Bridge Program (HBP) will continue to reimburse the City for 88.53% of the participating project costs. The current project schedule anticipates begin construction in the fall of 2021.

## ENVIRONMENTAL REVIEW

The City's Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-17-001 (SCH No. 2017021078) and Mitigation Monitoring and Reporting Program (MMRP), and any and all addenda for the Heritage Road Bridge Replacement Project. Under NEPA, the California Department of Transportation (Caltrans) has determined that the Project is a Categorical Exclusion under 23 USC 327.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

## DISCUSSION

The M&N bridge structures team has developed a Bridge Type Selection (BTS) report and secured Conditional Concurrence authorizing the team to proceed with the next phase of final design. The Caltrans conditional tasks are geotechnical field investigations, optimization matrix for bridge piles and columns, various river hydraulics analysis-design, and incorporate seismic code updates. Additional effort from City and M&N staff is required to comply with these additional conditions for project approval and design

completion.

Staff has been satisfied with M&N's performance and responsiveness. In order to maintain continuity, staff recommends that the City Council approve this amendment to increase the agreement by \$691,269 to a total maximum amount of \$3,815,374.04. These federally participating amounts will provide for the completion of all remaining engineering and design work as well as design support during project construction.

With the amendment and appropriated funds the project can proceed to final PS&E, secure environmental permits, and advertise for construction. The current project schedule anticipates construction starting in fall 2021.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of 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.

### **CURRENT-YEAR FISCAL IMPACT**

Sufficient funds are available in the Transportation Development Impact Fee (TDIF) fund to appropriate \$250,000 to cover the City's share of consultant and staff services required to complete the bridge design and associated environmental clearance work. Additional HBP funds of \$685,222 will also be appropriated for participating project costs as approved by Caltrans on January 10, 2020.

The following summarizes the proposed total consultant agreement amount for the scope of services in the proposed 3rd Amendment and City Staff efforts:

#### Funds Required for Design

A. M&N Amendment 3 Amount	\$ 691,269.00
B. City Staff Cost (FY19/20 & 20/21)	\$349,540.00
<b>Total Funds Required</b>	<b>\$ 1,040,809.00</b>

#### Available Funds

A. Project Balance (STM0386)	\$ 105,587.00
B. HBP Funding Appropriation	\$ 685,222.00
C. TDIF Appropriation	\$ 250,000.00
<b>Total Funds Available</b>	<b>\$ 1,040,809.00</b>

### **ONGOING FISCAL IMPACT**

There is no ongoing fiscal impact associated with the proposed action as the project account has adequate funding to complete the design work.

In addition to the HBP, the local match funding for construction will come from Chula Vista TDIF Funded projects. Portions of these projects, within the project's study area, will be constructed as part of this project thus enabling portions of their respective TDIF funding to be spent on this project to cover both the local

match and improvements falling outside of federally funded, or 'participating', limits.

Additionally, the City of San Diego has programed a minimum of \$1,000,000 into the Otay Mesa Public Facilities Financing Plan (FY2014) to fund a portion of the bridge costs. It is expected that prior to construction, a formal agreement will be made between the Cities of Chula Vista and San Diego to split the cost (50/50) of both the local match (11.47%) and non-participating construction costs.

#### **ATTACHMENTS**

1. Third Amendment to the Agreement
2. M&N Request Letter
3. Bridge General Plan
4. Caltrans Conditions of Concurrence Memo

*Staff Contact: David Hicks, Ext. 5040  
José Luis Gomez, Ext. 2301*