

RESOLUTION NO. _____

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 (HBP) FUNDS BASED ON UNANTICIPATED REVENUE TO STM0386 (4/5 VOTE REQUIRED)

WHEREAS, on November 15, 2011, City and Moffat and Nichol (“Consultant”) entered into an 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 (“Original Agreement”) with a contract amount of \$1,777,421; and

WHEREAS, on November 20, 2012, the City and Consultant entered into a first amendment to the Original Agreement to incorporate into the project widening of Main Street and Heritage Road and in order to comply with federal policies associated with environmental review, such as providing alternative feasible designs, increasing the Original Agreement amount by \$553,633, for a new total contract amount of \$2,331,054; and

WHEREAS, on November 1, 2016, the City and Consultant entered into a second amendment to the Original Agreement for the additional time and effort required to coordinate and produce the preliminary engineering, environmental documentation with Caltrans and the Resource Agencies increasing the total contact amount by \$1,093,051.04, for a new total contract amount of \$3,424,105.04; and

WHEREAS, on March 9, 2018, the City and Consultant having had staffing changes, reduced the scope and fee of Task 2 Final Design decreasing the total contact amount by \$300,000, for a new contract total of \$3,124,105.04; and

WHEREAS, Caltrans’ Department of Structures Local Assistance (SLA) has approved Bridge Type Selection (BTS) Conditions of Concurrence which has resulted in additional conditions and an overall increase in project design cost; and

WHEREAS, City and Consultant desire to again amend the agreement to provide additional time and effort required to facilitate completion of the added Bridge Type Selection (BTS) conditional concurrence requirements, secure regulatory permits from environmental agencies, produce Plans, Specifications, and Estimates (PS&E) to a 100% level, and award construction contract; and

WHEREAS, Consultant and Staff have proposed to enter into a third amendment to the Original Agreement to increase the total contract amount by \$691,269, for a total of \$3,815,374.04, so Consultant can complete additional work to meet City's objectives for replacing Heritage Road Bridge and the widening of Main Street and Heritage Road; and

WHEREAS, Staff requires \$349,540 for efforts in fiscal years FY 19/20 & FY 20/21 ;
and

WHEREAS, the Federal Highway Bridge Program (HBP) will continue to reimburse the City for 88.53% for all participating costs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it approves the Third Amendment to Agreement Between the City of Chula Vista and Moffat and Nichol to Provide Preliminary Engineering, Environmental Documentation and Final Design for the Heritage Road Bridge Replacement Project, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Engineer, and authorizes and directs the City Manager to execute same.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it appropriates \$250,000 from the available balance of the TDIF fund and \$685,222 of Highway Bridge Program (HBP) funds based on unanticipated revenue to STM0386.

Presented by

Approved as to form by

William Valle
Director of Engineering and Capital Projects

Glen R. Googins
City Attorney