



# CITY COUNCIL AGENDA STATEMENT



January 19, 2021

File ID: 20-0351

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE CITY OF CHULA VISTA CONSULTANT SERVICES AGREEMENT WITH HARRIS & ASSOCIATES TO PROVIDE HORIZONTAL DIRECTIONAL DRILLING CONSULTANT SERVICES

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

On January 1, 2018, Harris & Associates ("Consultant") entered into an agreement ("Original Agreement") with the City to provide professional civil engineering services related to the "Sewer Force Main at G Street Pump Station (SWR0275)" project ("Project") in the amount of \$20,000.

Per Resolution 2019-001, the City Council approved the First Amendment to the Original Agreement ("First Amendment") on January 8, 2019 due to unforeseen design complexities with respect to Horizontal Directional Drilling (HDD) and based on City staff's determination that the Consultant's expertise in HDD was required to complete the design. The First Amendment increased the agreement amount by \$70,840, for a total agreement amount of \$90,840.

The extended need for the Consultant's HDD expertise beyond the design phase of the Project has become apparent to City staff through the course of the design, as HDD-specific questions during the bid process and the need for construction support are highly anticipated. As such, staff recommends a Second Amendment to add additional scope and to increase the agreement by \$57,120 be approved for a total agreement amount of \$147,960.

## **ENVIRONMENTAL REVIEW**

The Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15303 class 3 (New Construction or Conversion of Small Structures) because the proposed project would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, be located on a site pursuant to Section 65962.5, or cause a

substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

#### **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

#### **DISCUSSION**

City Design staff proposes to employ Horizontal Directional Drilling (HDD) methods for the installation of the proposed pipes to minimally disrupt operations within the Collins (formerly UTC) campus, as well as to reduce the need for open-trench construction. As such, the City entered into the Original Agreement with the Consultant on January 1, 2018 to provide professional civil engineering services to support the design of the Project with respect to HDD methodology.

The Original Agreement comprised of technical guidance on the placement of boring pits and staging areas, technical oversight by way of QA/QC reviews, assistance in preparing technical specifications associated with the HDD, and attending project meetings.

Due to unforeseen design complexities with respect to HDD design and constructability and because the need for additional specialized expertise became more apparent as the Project had progressed, City staff determined that it would be of greater benefit to the City to fully leverage the Consultant's expertise in HDD by delivering engineering plans and technical specifications for an additional \$70,840, rather than merely act in a supporting role in the design of the project. As a result, the First Amendment was approved on January 8, 2019 to retain Consultant to address the unforeseen design complexities.

Over the course of the Project's design, it has also become apparent that the Consultant's HDD expertise will be of further benefit in the bidding and construction phases of the Project, as the aforementioned complexity and specialization of HDD technology and methodology will no doubt generate many HDD-specific questions from contractors during these final phases.

The Consultant has been intimately and effectively involved with the Project from the onset and possesses valuable insight into the history and progress of the Project's preliminary engineering and design thus far. It is staff's opinion that abiding by the prescribed competitive bid requirements could result in a consultant who is less familiar with the Project history and needs, making it an impractical, less cost-effective, and an inefficient option. Staff believes that the Consultant's familiarity with the Project will better serve the City's interest and is key to the coordination with an imminent project associated with the Bayfront Development (CIP SWR0309). Allowing the Consultant to take on the additional responsibility of providing bid and construction support for the Project will promote continuity with a consultant that has performed a significant amount of work specific to the Project and will avoid potential delays to the Bayfront Development schedule. Thus, the City's interests would be materially better served by apply a different purchasing procedure.

Therefore, staff recommends the approval of the Second Amendment to the Original Agreement.

### **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**

Funding for the proposed Second Amendment is included in the capital improvement project SWR0275. The project is funded by the Trunk Sewer Capital Reserve Fund and the Sewer Facility Replacement Fund. No additional appropriation is required, as sufficient funds are available in the Project.

### **ONGOING FISCAL IMPACT**

There are no ongoing fiscal impacts associated with the approval of this item.

### **ATTACHMENTS**

- 1) Second Amendment to the City of Chula Vista Consultant Services Agreement with Harris and Associates to Provide Horizontal Directional Drilling Consulting Services;
- 2) First Amendment to the City of Chula Vista Consultant Services Agreement with Harris and Associates to Provide Horizontal Directional Drilling Consulting Services, dated January 8, 2019;
- 3) Harris & Associates Two-Party Agreement 17163, dated January 1, 2018;
- 4) Resolution 2019-001

*Staff Contact: R. Alan Reyes*