



Staff Report

TO: City Council
FROM: Jeff Hart, Director of Public Works
DATE: February 2, 2021
SUBJECT: **Approval of the Second Amendment to the Professional Services Agreement with Moffatt & Nichol for Environmental Documentation Services for Pennsylvania Avenue Widening Project in the Amount of \$64,528 with the Total Contract Amount Not to Exceed \$411,669**

Background and Analysis:

On December 19, 2017, the City Council approved a one-year agreement for professional services with Moffatt & Nichol (M&N) for environmental documentation services for I-10 / Pennsylvania Avenue Interchange Improvement Project, Pennsylvania Avenue Widening Project, and Pennsylvania Avenue Grade Separation Project in the amount of \$295,523. The scope of services for this contract included data collection, document review, field studies and site visits, environmental technical studies, and environmental documentation and clearance for Pennsylvania Street projects.

On January 2, 2019, City Council approved an additional scope of the work and the time extension of the agreement for professional service with M&N for environmental documentation services for the Pennsylvania Street projects in the amount of \$51,618 with the total contract amount not to exceed \$347,141. The additional scope of services for the amendment was to add regulatory permitting services as part of the agreement in order to obtain necessary jurisdictional permits from the regulatory agencies prior to the construction of the projects. The new expiration date of the agreement was December 17, 2020.

During the final design and the draft environmental document preparation for the Pennsylvania Widening Project, M&N faced various changes in the regulations and project impact boundary area. The project boundary area was changed to minimize the impact of jurisdictional water and to add water quality features. The regulatory changes that impacted the project were SB 743 (new metrics based on vehicle miles traveled) implementation and the confirmation with the United States Army Corps of Engineers

(USACE) jurisdiction definition. The change to the vehicle miles traveled methodology required additional technical analysis to comply with updated CEQA criteria. In addition, the State revised the CEQA checklist. As a result, M&N had to perform additional out of scope work to comply with the latest regulations and project boundary change.

M&N has provided a cost proposal to the City that includes the unforeseen environmental services, as mentioned above, in the amount of \$64,528. This increase represents a total contract cost of \$411,669.

The draft environmental document for the Pennsylvania Widening Project is nearly complete and pending the process of a public hearing. City staff anticipates advertising the project this February. M&N's work for the Pennsylvania Widening Project will be done within six to eight months, but additional time would be required to complete the scope of the Pennsylvania Grade Separation and Pennsylvania Interchange Project. Therefore, City staff recommends that the term of the agreement be extended to two years, with a new expiration date of December 16, 2022.

Fiscal Impact:

	Pennsylvania Ave Widening (2017-009)	Pennsylvania Ave Interchange (2017-001)	Pennsylvania Ave Grade Separation (2017-012A)
Project Account	\$4,018,000.00	\$ 3,950,000.00	\$ 1,000,000.00
Previously Approved Contract Amounts	\$ 713,533.17	\$ 970,011.88	\$ 730,284.60
<u>Moffat & Nichol Second Amendment</u>	\$ 64,528.00	N/A	N/A
Remaining Account Balance	\$ 3,239,938.83	\$ 2,979,988.12	\$ 269,715.40

Recommended Action:

Approval of the Second Amendment to the Professional Services Agreement with Moffatt & Nichol for Environmental Documentation Services for the I-10 / Pennsylvania Avenue Interchange Improvement Project, Pennsylvania Avenue Widening Project, and Pennsylvania Avenue Grade Separation Project in the amount of \$64,528 with the total contract amount not to exceed \$411,669; and Authorize the Mayor to execute the amendment on behalf of the City.

Attachments:

- A. Second Amendment to the Agreement for Professional Services with Moffatt & Nichol for environmental documentation services for the Pennsylvania Widening Project
- B. Amendment Request for the Pennsylvania Widening Project