



## Legislation Details (With Text)

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**Title:** Approve the Second Amendment to the Consultant Services Agreement with UltraSystems Environmental Inc., of Irvine, California in the amount of \$32,716, for a total increased contract amount of \$146,269, for professional environmental services and preparation of technical memos for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue (Council District 3)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 23-197 Second Amendment to Agreement, 2. 23-197 Vicinity Map

Date	Ver.	Action By	Action	Result
2/9/2023	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

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Public Works Department, Engineering Division

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Public Works Department, Transportation Project Management

## SUBJECT

Approve the Second Amendment to the Consultant Services Agreement with UltraSystems Environmental Inc., of Irvine, California in the amount of \$32,716, for a total increased contract amount of \$146,269, for professional environmental services and preparation of technical memos for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue (Council District 3)

## RECOMMENDATION

Staff recommends the City Council approve the Second Amendment to the Consultant Services Agreement (Agreement) dated September 8, 2021, with UltraSystems Environmental Inc. in the amount of \$32,716, increasing the total contract amount to \$146,269, for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue, and to authorize the Public Works Director or designee to execute the Second Amendment to Agreement on behalf of the City of Fresno.

## EXECUTIVE SUMMARY

The City of Fresno is seeking to construct street improvements and widen the north side of McKinley Avenue from Marks Avenue to Hughes Avenue, including curbs, gutters, sidewalks, on street parking, bicycle facilities and street lighting. The preliminary engineering, right-of-way, and construction phases are federally funded with the Surface Transportation Block Grant (STBG) program administered through Caltrans, on behalf of the Federal Highway Administration (FHWA). Because STBG is a federal funding source, a National Environmental Policy Act (NEPA) determination is required prior to commencing right-of-way acquisition and construction. Initial environmental investigations identified additional environmental studies, evaluations, and reporting required for the project. Staff recommends approval of this Second Amendment in the amount of \$32,716, for the additional environmental studies, evaluations, and reporting required to comply with NEPA for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue.

## BACKGROUND

McKinley Avenue currently exists as a two-lane arterial roadway, lacking curbs, gutters, sidewalks, street lighting, and drainage facilities on the north side of McKinley Avenue between Marks Avenue and Hughes Avenue. The purpose of this project is to widen McKinley Avenue to its ultimate configuration and improve accessibility and multimodal travel options.

The design and preparation of street improvement plans, specifications and engineer's estimate for the widening project is currently being completed by the City of Fresno.

In October of 2017, the City of Fresno applied for, and was successful in getting awarded, a federal STBG program grant for the design engineering, right-of-way, and construction phases of the McKinley Avenue Widening project. The City was awarded the federal STBG grant that provides design engineering, right-of-way, and construction funding for the McKinley Avenue Widening project. These funds will be used to widen the north side of McKinley Avenue between Marks Avenue and Hughes Avenue, which will result in two east bound lanes and one west bound lane, bike lanes, curbs, gutters, sidewalks, streetlighting and a HAWK pedestrian signal near Addams Elementary School.

As a result of federal STBG program funding requirements, environmental studies and technical memoranda are required to satisfy NEPA, prior to starting right-of-way acquisition and construction. In accordance with Administrative Order (A.O.) 6-19, staff executed an agreement with UltraSystems Environmental Inc., in September 2021, to perform professional environmental services as required by the federal grant.

During the initial environmental investigations and studies, additional studies and reporting were identified and are now required to comply with NEPA guidelines. Therefore, the City needs to amend the scope of the Agreement to complete the additional environmental studies, evaluations and reporting to comply with NEPA. Staff negotiated the additional scope to the Agreement for an increase of \$32,716, which brings the total contract amount to \$146,269.

The City Attorney's Office has reviewed and approved the amendment as to form.

## ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378 the contract amendment approval does not qualify as a project as defined by CEQA.

## **LOCAL PREFERENCE**

Local preference was not implemented; this is an amendment to an existing agreement.

## **FISCAL IMPACT**

This project, which is located in Council District 3, will not have any impact to the General Fund. The amendment amount of \$32,716 will be funded by the federal STBG grant. All funds necessary for the contract amendment are included in the current fiscal year budget as previously adopted by City Council.

Attachments:

Second Amendment to Agreement

Vicinity Map