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Title: Approve the Fifth Amendment to the Agreement with Provost & Pritchard Engineering Group amending the scope of work and reducing the total fee by \$3,473 for design modifications for the Friant-Kern Canal Raw Water Pipeline (Council District 6 and Fresno County).

Sponsors: Department of Public Utilities

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Attachments: 1. Fifth Amendment.pdf

Date	Ver.	Action By	Action	Result
9/24/2015	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

September 24, 2015

FROM: THOMAS C. ESQUEDA, Director
Department of Public Utilities

THROUGH: MICHAEL CARBAJAL, Division Manager
Department of Public Utilities - Water Division

SUBJECT

Approve the Fifth Amendment to the Agreement with Provost & Pritchard Engineering Group amending the scope of work and reducing the total fee by \$3,473 for design modifications for the Friant-Kern Canal Raw Water Pipeline (Council District 6 and Fresno County).

RECOMMENDATIONS

Staff recommends that Council approve the Fifth Amendment to the Agreement with Provost & Pritchard Engineering Group, Inc., amending the scope of work and reducing the total fee by \$3,473 for a revised total fee of \$2,704,101 for the professional services associated with the City of Fresno's Friant-Kern Canal Pipeline Project.

EXECUTIVE SUMMARY

On April 10, 2007, the City and Provost & Pritchard Engineering Group ("Provost & Pritchard")

entered into an Agreement for the design of the Friant-Kern Canal Pipeline Project. The proposed pipeline will deliver the City's Central Valley Project (CVP) surface water to the Northeast Surface Water Treatment Facility (NESWTF). This Amendment revises Provost & Pritchard's scope of work to accurately articulate tasks associated with: 1) agency permitting efforts, 2) right-of-way easement acquisition services, and 3) design services. With the execution of Amendment No. 5, the design portion of the Friant-Kern Canal Pipeline Project will be 100-percent complete, and no further amendments for design services will be required for the project.

BACKGROUND

Presently, the City's contract with the United States Bureau of Reclamation (USBR) for Central Valley Project (CVP) surface water, travels nearly 55 miles in open canals from Friant Dam (Millerton Lake) to the NESWTF. The proposed project consists of the construction of a 5.6-mile 60-inch diameter underground raw water pipeline. The new pipeline reroutes the CVP water more directly to the NESWTF and will eliminate nearly 47 miles from the conveyance distance. The project will enclose the water delivery and greatly reduce the threat of exposed canal water quality by contamination, from environmental debris, accidental or malicious acts. The pipeline will be constructed in unincorporated Fresno County property and connected to the existing one mile long pipeline stub constructed by a 2007 project. The water pressure available from the enclosed pipeline will also serve a future hydropower plant to be constructed at the City's existing NESWTF and reduce its current energy costs.

Water Division anticipates the project going to bid later this month and construction activities starting in early 2016. All of the landowners have agreed to terms for the acquisition of the required easements along the alignment, and escrow is expected to close on all easements in October 2015. The Water Division has pre-qualified contractors for construction of the project, and the plans and specifications will be approved by all required agencies this month. The project schedule has protracted primarily because of environmental mitigation requirements, however, the Water Division has now obtained approval from state and federal agencies to utilize the available habitat mitigation bank credits that will meet the requirements of both agencies. The Biological Opinion from the United States Fish and Wildlife Service is anticipated to be issued in October 2015, and the remaining permits for the project have been obtained. The Water Division was recently successful in securing a \$1,000,000 grant from the United States Bureau of Reclamation for this project and is working to finalize the grant agreement and funding that will help offset some of the project costs.

This amendment is required to finalize the permitting, land acquisition and design services. The Water Division and Provost & Pritchard Engineering Group have negotiated a modification to the scope of work that will result in a net decrease in total compensation.

The Amendment has been approved as to form by the City Attorney's Office and will be executed by the Director of Public Utilities or his designee following approval by the City Council.

ENVIRONMENTAL FINDINGS

An initial study and Mitigated Negative Declaration was prepared and adopted on June 14, 2012, for this project. A Notice of Determination was subsequently filed with the Fresno County Clerk's Office on June 19, 2012. The Proposed Project consists of the construction and operation of a 5.6-mile raw water supply pipeline northeast of the City of Fresno, in unincorporated Fresno County at the City's existing NESWTF. The Proposed Project would be located between the NESWTF near Chestnut and

Behymer Avenues and the Friant-Kern Canal to the northeast. The purpose of the Proposed Project is to develop a reliable raw water conveyance system with reduced potential for water quality contamination that will bring the City's existing Central Valley Project (CVP) contract supply water directly from the Friant-Kern Canal to the NESWTF. This approval is to implement that project.

An analysis has been performed pursuant to CEQA Guidelines §15162 to determine whether subsequent environmental review is required for the project. Based upon this analysis the following findings are made to support the determination that no subsequent environmental review is required:

1. No substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case there are no changes to the project.
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the proposed pipeline alignment has not changed.
3. There is no new information, which was not known and could not have been known at the time of the previous Mitigated Negative Declaration that the project will have significant effect not discussed in the Mitigated Negative Declaration.

Based upon these findings, it has been determined that no further environmental documentation is required for this project.

LOCAL PREFERENCE

Although Provost & Pritchard Engineering Group, Inc. is a local professional engineering services company, local preference is not applicable because an amendment to an existing consultant services agreement.

FISCAL IMPACT

The project, located primarily within unincorporated Fresno County, will not have any impact to the General Fund. Funding for this design project was previously encumbered during a prior fiscal year. No additional funds are needed for this amendment.

Attachment:
Fifth Amendment