



## Legislation Details (With Text)

<b>File #:</b>	ID 24-621	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Passed	
<b>File created:</b>	4/30/2024	<b>In control:</b>		City Council	
<b>On agenda:</b>	5/23/2024	<b>Final action:</b>		5/23/2024	
<b>Title:</b>	Approve a Fourth Amendment to the Consultant Services Agreement with Blair Church & Flynn Consulting Engineers, Inc., in the amount of \$40,300, for a total increased contract amount of \$210,030, with an additional \$8,000 remaining in contingency, for civil engineering design services and preparation of construction documents for the Southbound Polk Avenue Widening Project from Gettysburg Avenue to Shaw Avenue (Council District 1).				
<b>Sponsors:</b>	Capital Projects Department, Public Works Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 24-621 Original Agreement.pdf, 2. 24-621 First Amendment.pdf, 3. 24-621 Second Amendment.pdf, 4. 24-621 Third Amendment.pdf, 5. 24-621 Fourth Amendment.pdf, 6. 24-621 Vicinity Map.pdf				

Date	Ver.	Action By	Action	Result
5/23/2024	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

**FROM:** RANDALL W. MORRISON, PE, Director  
Capital Projects Department

SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** ALEJANDRO GONZALEZ, Licensed Professional Engineer  
Capital Projects Department, Transportation Project Management Division

## SUBJECT

Approve a Fourth Amendment to the Consultant Services Agreement with Blair Church & Flynn Consulting Engineers, Inc., in the amount of \$40,300, for a total increased contract amount of \$210,030, with an additional \$8,000 remaining in contingency, for civil engineering design services and preparation of construction documents for the Southbound Polk Avenue Widening Project from Gettysburg Avenue to Shaw Avenue (Council District 1).

## RECOMMENDATION

Staff recommends City Council approve the Fourth Amendment to the Consultant Services Agreement (Agreement) with Blair, Church & Flynn Consulting Engineers (BCF) in the amount of \$40,300, for civil engineering design services and preparation of construction documents for the Southbound Polk Avenue Widening Project from Gettysburg Avenue to Shaw Avenue and authorize the Capital Projects Director or designee to execute the Fourth Amendment on behalf of the City of

Fresno.

## **EXECUTIVE SUMMARY**

The City is proposing to construct street improvements and widen southbound Polk Avenue from Shaw Avenue to Gettysburg Avenue. The City entered into the Consultant Services Agreement with BCF for the Southbound Polk Avenue Widening Project from Gettysburg Avenue to Shaw Avenue on April 25, 2017. As the project design progressed, it was determined that replacing a portion of the Teague School Canal pipeline would be mutually beneficial to the Fresno Irrigation District (FID) and the City. Additionally, as part of potholing operations, two existing utility ducts were identified to conflict with the proposed project storm drain pipeline grades. This Fourth Amendment to the Agreement includes additional consultant design and construction support services for replacement of a portion of FID's Teague School Canal pipeline and redesign of the proposed storm drain. Staff recommends approval of the Fourth Amendment to the Agreement with BCF in the amount of \$40,300, for a total increased contract amount of \$210,030, with an additional \$8,000 remaining in contingency, for the Southbound Polk Avenue Widening Project. The project is fully funded with local Measure C flexible funds, New Growth Area Major Street Impact Fee funds and a federal Surface Transportation Block Grant (STBG).

## **BACKGROUND**

Polk Avenue currently is a two-lane roadway in need of curbs, gutters, sidewalks and drainage facilities. As a result, bottlenecks exist between the newer, fully improved subdivisions and older areas that developed in the County. In accordance with the 2035 General Plan, Polk Avenue is to ultimately be constructed as a four-lane divided arterial between Shaw Avenue and Belmont Avenue, as development occurs west of State Route 99.

The City of Fresno was awarded a federal Surface Transportation Block Grant (STBG) that provides construction funding for the Southbound Polk Avenue Widening Project. The STBG grant application was part of a package of grants adopted for submission and execution per Resolution No. 2017-288 adopted by the City Council on October 19, 2017.

The City of Fresno seeks to construct street improvements and widen southbound Polk Avenue from Shaw Avenue to Gettysburg Avenue. The consultant is currently preparing the plans, specifications and construction documents for the widening of Polk Avenue between Shaw Avenue and Gettysburg Avenue, including curb and gutter, paving, sidewalks, street lighting and a High intensity Activated crossWalk (HAWK) type pedestrian crossing near Teague Elementary School.

The original Agreement dated April 25, 2017, with BCF totaled \$106,500, with a \$15,000 contingency. Upon award of the federal STBG grant for construction, City staff identified additional scope that was included in the grant scope and pursued a First Amendment with BCF to add the additional scope. The additional items include a HAWK type pedestrian crossing and widening of the east side of Polk Avenue in proximity of the proposed pedestrian crossing. On December 6, 2018, City Council approved the First Amendment to the Agreement with BCF in the amount of \$29,330. On March 17, 2022, the Second Amendment to the Agreement was executed utilizing contingency for \$7,000 to complete a Noise Abatement Decision Report (NADR), which was required by Caltrans for environmental clearance on the project. On May 26, 2022, City Council approved the Third Amendment to the Agreement with BCF, increasing the total fee by \$26,900 for a revised contract amount of \$169,730, which included potholing to identify and mitigate potential design conflicts with

the existing utilities and proposed improvements.

As the project progressed, it was determined that replacing a portion of the Teague School Canal pipeline would be mutually beneficial to the FID and the City. Additionally, as part of potholing operations, two existing utility ducts were identified to conflict with the proposed project storm drain pipeline grades. Staff negotiated the additional scope to the contract for an increase of \$40,300, which brings the total contract amount to \$210,030, with a remaining contingency amount of \$8,000. Therefore, the City now desires to amend the Agreement with BCF to include design for replacement of a portion of FID's Teague School Canal pipeline and redesign of the proposed storm drain and to authorize the Capital Projects Director or designee to sign on behalf of the City of Fresno.

The City Attorney's Office has reviewed and approved the proposed 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.

## **LOCAL PREFERENCE**

Local preference was not implemented because this item does not involve the bid or award of construction or services contract.

## **FISCAL IMPACT**

The proposed Southbound Polk Avenue Widening Project from Gettysburg Avenue to Shaw Avenue is within Council District 1. This amendment will have no impact to the General Fund. All project costs for the engineering design phase are funded with local Measure C flexible and New Growth Area Major Street Impact Fee funds. All funds necessary for the amendment are included in the current fiscal year budget as previously adopted by City Council.

### **Attachments:**

- Original Agreement
- First Amendment
- Second Amendment
- Third Amendment
- Fourth Amendment
- Vicinity Map