



Legislation Details (With Text)

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**File created:** 6/3/2019    **In control:** City Council  
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**Title:** Actions pertaining to the Traffic Signal Installation Project at Bullard Avenue and Grantland Avenue - Bid File 3628 (Council District 2)  
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301 (c) of the California Environmental Quality Act Guidelines (CEQA)  
2. Approve an Inter-fund Loan Agreement between the Developer Cash-in-Lieu Improvements Fund and the Cash-in-Lieu Loan Fund, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing for a \$803,000 loan  
3. Award a Construction Contract to American Paving Co., of Fresno, CA in the amount of \$553,617, and authorize the Public Works Director or Designee to sign a standardized contract on behalf of the City

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 19-1821 Bid Evaluation.pdf, 2. 19-1821 Fiscal Impact Statement.pdf, 3. 19-1821 Standardized Contract.pdf, 4. 19-1821 Interfund Loan Agreement.pdf, 5. 19-1821 Vicinity Map

Date	Ver.	Action By	Action	Result
6/20/2019	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**June 20, 2019**

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

**THROUGH:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department

**BY:** SCOTT P. SEHM, PE, Design Services Manager  
Public Works Department

**SUBJECT**

Actions pertaining to the Traffic Signal Installation Project at Bullard Avenue and Grantland Avenue - Bid File 3628 (Council District 2)  
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301 (c) of the California Environmental Quality Act Guidelines (CEQA)  
2. Approve an Inter-fund Loan Agreement between the Developer Cash-in-Lieu Improvements

- Fund and the Cash-in-Lieu Loan Fund, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing for a \$803,000 loan
3. Award a Construction Contract to American Paving Co., of Fresno, CA in the amount of \$553,617, and authorize the Public Works Director or Designee to sign a standardized contract on behalf of the City

## RECOMMENDATIONS

Staff recommends the City Council adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) Class 1 of the CEQA Guidelines for the Traffic Signal Installation Project at Bullard Avenue and Grantland Avenue, award a construction contract with American Paving Co., of Fresno, CA, in the amount of \$553,617 as the lowest responsive and responsible bidder, and authorize the Public Works Director or Designee to sign a standardized contract on behalf of the City. Staff also recommends the Council approve an Inter-fund Loan Agreement pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, to provide a loan in the amount of \$803,000 from the Developer Cash-in-Lieu Improvements Fund to the Cash-in-Lieu Loan Fund.

## EXECUTIVE SUMMARY

The proposed Traffic Signal Installation Project at Bullard Avenue and Grantland Avenue will improve vehicle capacity and pedestrian safety at the intersection. This traffic signal installation will provide pedestrian phasing at the crosswalks and include pedestrian amenities such as count-down heads, accessible pedestrian signals and safety lighting. Protected left-turns for vehicles will also be included with the project. This project will include accessible curb ramps to meet the requirements of the American with Disabilities Act. The adopted FY 2019 budget included the appropriations and funding transfers in order to construct the project but a Loan Agreement is required in order to approve the inter-fund loan transfer; this project is included in the proposed Inter-fund Loan Agreement from the Developer Cash-in-Lieu Improvements Fund. Because this capital improvement project is part of the master capital improvement program as contained in the City's development impact fee program, the inter-fund loan would allow the City to use the available funds to deliver this infrastructure to one of our rapidly growing areas, then stand in line for development impact fee reimbursement which will restore the amount borrowed \$803,000 to the Developer Cash-in-Lieu fund.

## BACKGROUND

The scope of work for the proposed traffic signal at Bullard Avenue and Grantland Avenue includes new traffic signal poles, conduit, detector loops, traffic signal controller cabinet, conductors, concrete curb ramps, an asphalt landing, concrete sidewalk, and storm drain facilities. The project will also provide pedestrian amenities such as count-down heads, accessible pedestrian signals and safety lighting.

The Bullard Avenue and Grantland Avenue Traffic Signal Project was initiated in FY 2017 when it was adopted in the Capital Budget by City Council. The project is locally funded by an inter-fund loan transfer from the Developer Cash-in-Lieu Improvements Fund and was designed in-house by Public Works staff. The preliminary engineering design and right-of-way acquisition took approximately 13 months to complete.

Public Works staff prepared a Notice Inviting Bids which was published in the Fresno Business

Journal on April 8, 2019, posted on the City's website, and faxed to seven (7) building exchanges. Project plans and specifications were also distributed to thirty (30) prospective bidders. Four (4) sealed bid proposals were received and opened in a public bid opening on June 26, 2019 with bids ranging from \$539,035 to \$595,905; after application of the five percent (5%) Local Preference adjustment, American Paving Co. of Fresno, with their bid of \$553,617, was determined to be the lowest responsive and responsible bidder. The expiration date of the bids is June 26, 2019. If the bids are rejected or expire, the project must be rebid, which will result in a delay of approximately 60 days.

The Developer Cash-in-Lieu Fund holds hard-cash payments collected pursuant to the Fresno Municipal Code (FMC) provisions which authorize the Public Works Director to receive cash payments in lieu of performing required improvements in situations where it is not feasible to perform the construction as stipulated in the Conditions of Approval at the present time. Cash-in-lieu funds are a common practice in California and the City of Fresno's account is included in the Annual Impact Fee Report, as required under AB1600. The vast majority of developers construct their improvements with their subdivision or prior to occupancy of commercial and industrial developments. Sometimes, certain improvements may be dependent upon other adjacent developments or capital projects and not feasible to construct independently; when the anticipated time period for deferral is a few years, these improvements are typically secured by a bond, but when the anticipated duration is several years or longer, the FMC provides the ability for the City to accept cash in the estimated amount of those improvements and take on the future responsibility to construct those specific improvements at such a time as the improvements make sense or are otherwise feasible.

The actual cash-in-lieu funds can only be utilized for the specific projects for which the dollars were collected. However, similar to Urban Growth Management (UGM) or impact funds, an inter-fund loan is possible to allow the retained dollars to be used for other vital capital improvements, such as this project. Staff does not anticipate the Developer Cash-in-Lieu Fund needing \$803,000 within the next five years and recommends it be loaned for construction of the Traffic Signal Installation at Bullard Avenue and Grantland Avenue.

The inter-fund Loan Agreement has been approved as to form by the City's Attorney's Office and it is consistent with Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act.

## **ENVIRONMENTAL FINDINGS**

Staff has performed an environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15301(c) (existing facilities), which exempts the repair, maintenance, or minor alteration of existing structures or facilities, which includes existing streets, sidewalk and gutters, and no further expansion of existing use, because the project includes the modification an existing of traffic signal facility, crosswalks, ADA curb access, signage and pavement striping. Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.

## **LOCAL PREFERENCE**

The project's funding is Developer cash-in-lieu and is considered local funds. Therefore, the City's

local preference ordinance was implemented as the number one low bid was from outside of the City of Fresno. The bid from American Paving of Fresno was determined to be appropriate and responsive for this local preference funding criteria.

## **FISCAL IMPACT**

The project is located in City of Fresno Council District 2. The overall cost of the project is \$803,000 and is locally funded by an internal loan from Developer Cash In-Lieu funds. The project will not have any impact to the General Fund.

Of the total project costs, \$553,617 will be used for the construction contract award. Funds necessary for the contract award are included in the current fiscal year budget as previously adopted by the Council.

Attachment:

Bid Evaluation

Fiscal Impact Statement

Standardized Contract

Interfund Loan Agreement

Vicinity Map