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**Title:** Authorize the Public Works Director to enter into Sixth and Seventh Amendments to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) in substantially the form presented, for the purposes of increasing the contract amount to develop and implement a series of cooperative agreements, and extending the contract end date by twelve months to December 31, 2017. (Council Districts 1, 2 & 3)

**Sponsors:** Public Works Department

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**Attachments:** 1. 2821\_001, 2. 2822\_001, 3. 2823\_001

Date	Ver.	Action By	Action	Result
3/17/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**March 17, 2016**

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

**THROUGH:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
Public Works Department, Traffic and Engineering Services Division

**BY:** DAVID A. CISNEROS, Project Administrator  
Public Works Department, Traffic and Engineering Services Division

**SUBJECT**

Authorize the Public Works Director to enter into Sixth and Seventh Amendments to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) in substantially the form presented, for the purposes of increasing the contract amount to develop and implement a series of cooperative agreements, and extending the contract end date by twelve months to December 31, 2017. (Council Districts 1, 2 & 3)

**RECOMMENDATION**

It is recommended that the Council take the following action:

Authorize the Public Works Director, or his designee, to execute amendments to the existing Reimbursement Agreement with CHSRA in substantially the form presented, to increase the contract amount by \$555,000 to a total of \$1,421,000 and extend the existing contract term by twelve months to December 31, 2017.

## **EXECUTIVE SUMMARY**

The Sixth Amendment will increase the reimbursement budget by \$555,000 and the Seventh Amendment will extend the contract end date to December 31, 2017. These two amendments will provide for continued reimbursement for the cost of staff services to develop the remaining cooperative agreements between the CHSRA and the City of Fresno. The remaining agreements will address land transfer implementation, ownership and maintenance of improvements, third party, prior rights, project conflicts and fourteen (14) railroad grade separations.

## **BACKGROUND**

On May 3, 2012, Council approved a Memorandum of Understanding with the CHSRA to develop a series of Cooperative Agreements for the High Speed Rail Project. The CHSRA agreed to reimburse the City for staff costs incurred in developing the Agreements up to \$296,000. Reimbursable tasks included verification of existing rights-of-way, review of proposed designs for conformance to City Standards, analysis of utility-HSR conflicts, analysis and verification of utility easements, pre-plan check activities along the HSR corridor and negotiations on the legal terms and language in each Agreement.

On May 9, 2013 Council authorized the Public Works Director to negotiate and enter into the Second Amendment extending the contract term to May 30, 2014, and providing for an additional \$200,000 of reimbursement for City staff services for a total contract amount of \$496,000. The Third and Fourth Amendments extended the contract term for an additional 18 months and increased the total reimbursement amount under the contract by \$370,000 to a total of \$866,000. The Fifth Amendment approved by the Council on May 14, 2015 extended the contract term to December 31, 2016.

The proposed Sixth Amendment to the contract will increase the amount available for reimbursement by \$555,000 to a total of \$1,421,000, and the Seventh Amendment will extend the contract end date to December 31, 2017.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a "project" and is therefore exempt from the California Environmental Quality Act requirements.

## **LOCAL PREFERENCE**

This is not applicable since this is a reimbursement agreement and not a construction contract.

## **FISCAL IMPACT**

There will be no impact to the General Fund or any City operating funds associated with the

recommended action. All City costs for services provided under the existing agreements, including the proposed amendments, will be paid for by the CHSRA project funding. Staff costs to develop and implement the remaining Cooperative Agreements will be fully funded by the California High-Speed Rail Authority. The High-Speed Rail project encompasses property in Council Districts 1, 2 & 3.

Attachments:

Standard Agreement Amendment No.6

Staff Cost Estimate for Amendment No. 6

Standard Agreement Amendment No. 7