



Legislation Details (With Text)

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Title: Authorize the Public Works Director or his designee to enter a Fifth Amendment to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) for the purposes of extending the contract term to develop a series of cooperative agreements (Council Districts 1, 2 & 3)
Sponsors: Public Works Department
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Attachments: 1. HSR STANDARD AGREEMENT 11-29 AMENDMENT NO. 5.pdf

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5/14/2015	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

May 14, 2015

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SUBJECT

Authorize the Public Works Director or his designee to enter a Fifth Amendment to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) for the purposes of extending the contract term to develop a series of cooperative agreements (Council Districts 1, 2 & 3)

RECOMMENDATION

It is recommended that the Council take the following action:

1. Authorize the Public Works Director or his designee to execute an amendment that will extend the existing contract term by 12 months.

EXECUTIVE SUMMARY

The City has an existing Memorandum of Understanding with CHSRA that obligates them to reimburse the City for staff services used to develop cooperative agreements associated with the impacts and maintenance of the new rail line. The Fifth Amendment will extend the contract term by twelve (12) months to December 31, 2016. The remaining agreements will address land transfers, freeway relocation, street facilities, ownership and maintenance, prior rights, project conflicts, and fourteen 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 will include 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 proposed Fifth Amendment to the contract will extend the contract term to December 31, 2016.

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 amendment, will be paid for by the CHSRA project funding. Staff costs to develop the remaining Cooperative Agreements will be fully funded by the CHSRA. The High-Speed Rail project encompasses property in Council Districts 1, 2 & 3.

Attachment: Standard Agreement Amendment No.5