



Legislation Details (With Text)

File #: ID 23-479 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 3/14/2023 **In control:** City Council

On agenda: 3/30/2023 **Final action:** 3/30/2023

Title: ***RESOLUTION - Adopting the 27th amendment to the Annual Appropriation Resolution No. 2022-154 appropriating \$700,000 for High Speed Rail Development Services (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 23-479 27th Amendment to AAR No. 2022-154, 2. 23-479 Vicinity Map

Date	Ver.	Action By	Action	Result
3/30/2023	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

***RESOLUTION - Adopting the 27th amendment to the Annual Appropriation Resolution No. 2022-154 appropriating \$700,000 for High Speed Rail Development Services (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

RECOMMENDATION

Staff recommends that the City Council adopt the 27th amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$700,000 for High Speed Rail Development Services.

EXECUTIVE SUMMARY

On November 17, 2022 City Council approved the execution of Amendment No. 1 to the Plan Review and Construction Management Services Agreement (Agreement), for an additional of \$1,800,000, with Tutor Perini/Zachry/Parsons, a Joint Venture (TPZP) for the City to continue providing plan review and construction management support services related to California High Speed Rail Project

(Project). The increase in construction and engineering support services for the Project has increased expenditures for Fiscal Year 2023 and additional appropriations are necessary in order to continue supporting the project.

BACKGROUND

The California High Speed Rail Authority (CHSRA) awarded TPZP the Design-Build Construction Package 1 contract (CP1) in Fresno, which extends from north of the San Joaquin River to beyond American Avenue in the south. Under the Design-Build delivery method, the Contractor is responsible for both the engineering design and the actual construction. CHSRA has also made TPZP responsible for day-to-day construction inspections and a self-certification that all the improvements have been constructed in accordance with the approved plans and specifications. Within the City of Fresno, CP1 includes a dozen railroad grade separations where the street will be rebuilt as either an overpass or underpass, several miles of a relocated Golden State Boulevard, miles of rerouted sewer and water mains, more than 30 traffic signal installations or modifications and all associated facilities such as street lighting, curbs, gutters, sidewalks and landscaping.

In February 2016 the City Council approved the execution of a “lump sum” agreement with TPZP for \$1,900,000 to be used for City plan review and construction management services (the Lump Sum Agreement), which was terminated in September 2018. After the termination, TPZP was paying for City plan review and inspection services under the City’s Master Fee Schedule as adopted by the Council. Due to the large number of construction packages, a considerable administrative effort for both parties was created. In that the City of Fresno, like the vast majority of California cities, utilizes a percentage of the construction cost as the basis for the plan review and inspection fees, which often results in disagreements concerning the calculation of the permit fees. The Master Fee Schedule is also based upon City staff inspection of all infrastructure being constructed, not recognizing the role of TPZP’s day-to-day inspection and certification.

In 2019 the City Council approved the execution of the current agreement, for an amount of \$1,800,000, with TPZP for the City to continue providing plan review and construction management support services related to California High Speed Rail Project. The Agreement allows the City to continue to provide City engineering plan review and approval, as well as a construction oversight role by City senior engineering inspectors. The Agreement is structured for ongoing monitoring of actual versus projected costs on a monthly basis and a reopener of the agreement in the event that the level of City staff effort exceeds the amount of the agreement.

Amendment No. 1 increased the Agreement by an additional \$1,800,000 and extended the term of the Agreement to March 31, 2024 allowing the City to continue providing services based upon the City’s actual cost as opposed to charging TPZP for work based upon the Master Fee Schedule.

ENVIRONMENTAL FINDINGS

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378, this item is not a project for the purposes of CEQA.

LOCAL PREFERENCE

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

FISCAL IMPACT

Adoption of the attached AAR amendment resolution will appropriate the necessary funding to continue the project in the current fiscal year. Additional appropriations for the remaining project costs will be included in the City's fiscal year 2024 budget. This request will have no impact to the General Fund as the existing agreement with TPZP provides the necessary funding.

Attachments:

27th Amendment to AAR No. 2022-154

Vicinity Map