



CITY COUNCIL STAFF REPORT



July 13, 2021

ITEM TITLE

Heritage Bridge Replacement Project (STM0386): Appropriate Funds and Approve a Fourth Amendment to the Agreement with Moffatt & Nichol for the Project

Report Number: 21-0065

Location: Heritage Road between Main Street and Entertainment Circle North

Department: Engineering & Capital Projects

Environmental Notice: The Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-17-001 (SCH No. 2017021078) and Mitigation Monitoring and Reporting Program (MMRP), and any addenda for the Heritage Road Bridge Replacement Project. Under NEPA, the California Department of Transportation (Caltrans) has determined that the Project is a Categorical Exclusion under 23 USC 327.

Recommended Action

Adopt a resolutions A) accepting \$619,710 of the Federal Highway Bridge Program funds based on unanticipated revenue and \$553,000 from the available balance of the Transportation Development Impact Fee Fund to STM0386 **(4/5 Vote Required)**; and B) approving the fourth amendment to the existing agreement with Moffat & Nichol to increase the maximum contract value from \$3,815,374.04 to \$4,023,101.04.

SUMMARY

A) The Heritage Bridge Replacement Project is federally funded under the Highway Bridge Program (HBP). A previously approved federal grant had been split into two disbursements. With the first appropriation completed in March 2020 per City Council resolution 2020-052, this appropriation will accept the remaining funds. An appropriation from the Transportation Development Impact Fee (TDIF 58B) fund is also required to satisfy HBP's local contribution requirement and to cover project expenses.

B) Moffatt and Nichol (M&N) has requested additional budget for efforts needed to evaluate and revise the design of deep foundations to comply with in Caltrans' current policies, obtain conditional concurrence from Structures Local Assistance (SLA), and for additional effort required to generate final plans.

The original M&N agreement was adopted per City Council Resolution 2011-221. Subsequently, Amendments 1, 2, & 3 to the agreement were adopted per Resolutions 2012-218, 2016-215, and 2020-052. The current agreement contract with amendments has a contract amount of \$3,815,374.04. The proposed fourth amendment would increase the contract amount to \$4,023,101.04.

ENVIRONMENTAL REVIEW

The City's Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-17-001 (SCH No. 2017021078) and Mitigation Monitoring and Reporting Program (MMRP), and any and all addenda for the Heritage Road Bridge Replacement Project. Under NEPA, the California Department of Transportation (Caltrans) has determined that the Project is a Categorical Exclusion under 23 USC 327.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

A) Under the Federal Highway Bridge Program (HBP), Caltrans has granted the project an additional \$1,304,932 to complete construction documents and environmental permits. These funds were programed in two installments. In March 2020, the City accepted the first disbursement of \$685,222 per City Council Resolution 2020-052. Adoption of this resolution will appropriate the remaining \$619,710 HBP funds. An additional appropriation from the transportation development impact fee (TDIF) is needed to cover the City's local contribution under the federal grant. Receipt of HBP funds obligates the City to contribute 11.47% of the disbursement (\$80,290), while federal funding covers the remaining 88.53%. Project design costs are anticipated to exceed grant funding. Previous HBP engineering expenditures needed to keep project on schedule along with anticipated costs to complete construction documents total \$553,000. These appropriations encompass budgets needs through end of fiscal year 21/22 where the project is scheduled to begin the construction phase, which is anticipated to commence in the Summer of 2022.

B) The M&N structures team has generated 60% Plans Specs and Estimate (PS&E), responded to additional Caltrans oversight comments, aligned the design to comply with changed requirements, and is in the process of generating structures 90% PS&E (anticipated July 2021). In satisfying Caltrans' revised requirements, additional deep foundations studies were required to acquire Conditional Concurrence from Caltrans. An increase of \$207,727 to the existing agreement is proposed to account for these efforts.

If the funds are appropriated and the fourth amendment is approved, the consultant will proceed to generate final construction documents, secure environmental permits, and advertise for construction. The current project schedule anticipates breaking ground in Summer of 2022 with a bridge construction cost estimate of \$19.2M.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of

Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

Approval of this resolution will accept additional grant funding under the Federal Highway Bridge Program (HBP) funds and appropriate the same to the Heritage Bridge Replacement CIP STM0386 project. Approval of this resolution will also authorize an appropriation of \$619,710 to the Heritage Bridge Replacement CIP STM0386 project. These funds come from Caltrans as administer of HBP funds and will partially cover project costs.

Sufficient funds are available in the Transportation Development Impact Fee (TDIF) Fund to appropriate the remaining \$553,000 needed to cover previous HBP engineering expenditures and services required to complete the construction documents and secure environmental permits.

There is no additional fiscal impact to the TDIF Fund as a result of accepting this grant distribution.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact associated with the proposed action as the project account has adequate funding to complete the design work.

In addition to the HBP, the local match funding for construction will come from Chula Vista TDIF Funded projects. Portions of these projects, within the project's study area, will be constructed as part of this project thus enabling portions of their respective TDIF funding to be spent on this project to cover both the local match and improvements falling outside of federally funded, or 'participating', limits.

Additionally, the City of San Diego has programed a minimum of \$1,000,000 into the Otay Mesa Public Facilities Financing Plan (FY2014) to fund a portion of the bridge costs. It is expected that prior to construction, a formal agreement will be made between the Cities of Chula Vista and San Diego to split the cost (50/50) of both the local match (11.47%) and non-participating construction costs.

ATTACHMENTS

1. Caltrans Funding Authorization 'E76' document
2. RTIP Programed Funding Summary
3. Fourth Amendment to the Agreement with Moffatt and Nichol
4. Plan Title Sheet Heritage Bridge Replacement Project (STM386)

Staff Contact:

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