



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: JANUARY 5, 2021**

**FROM: PUBLIC WORKS DEPARTMENT      WARDS: 1 & 2**

**SUBJECT: SECOND AMENDMENT TO PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH HDR ENGINEERING, INC., OF OMAHA, NEBRASKA FOR THIRD STREET GRADE SEPARATION AT BNSF RAILROAD TO EXTEND THE TERM THROUGH JUNE 31, 2021 IN THE AMOUNT OF \$19,500; FOR A TOTAL CONTRACT AMOUNT OF \$666,149**

## **ISSUE:**

Approve the Second Amendment to the Professional Consultant Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, to extend the term through June 31, 2021 and for additional services in the amount of \$19,500.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the Second Amendment to Professional Consultant Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, to extend the term of the agreement through June 31, 2021 and to provide additional services for the project in the amount of \$19,500, for a total contract amount of \$666,149; and
2. Authorize the City Manager, or his designee, to execute the Second Amendment with HDR Engineering, Inc., including making minor and non-substantive changes.

## **BACKGROUND:**

On April 11, 2017, the City Council received a report on the review and prioritization of potential railroad grade separations along the Burlington Northern Santa Fe (BNSF) railroad at Jackson Street, Mary Street, Spruce Street, and Third Street. Following this report, the City Council approved the Third Street/ BNSF line as the top priority railroad grade separation and directed the Public Works Department to issue a Request for Proposals to complete the Project Approval and Environmental Document phase of the Third Street Grade Separation.

On July 24, 2018, the City Council approved an agreement with the Western Riverside Council of Governments (WRCOG) for \$4.0 million in Transportation Uniform Mitigation Fee (TUMF) funding to fund the Project Approval and Environmental Document phase (PA&ED); and the Plans, Specifications, and Estimates (PS&E) phases of the Third Street Grade Separation project.

On December 18, 2018, the City Council approved a Professional Consultant Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, for the PA&ED phase of the Third Street Grade Separation in the amount of \$646,649.

On June 16, 2020, the City Council approved the First Amendment to the Professional Consultant Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, to amend the consultant's scope of services and authorized the Public Works Department to prepare and submit a grant application in the amount of \$15 million to the California Transportation Commission for Senate Bill 1-Trade Corridor Enhancement Program funds. The First Amendment to the Agreement did not change the consultant's original contract amount of \$646,649.

## **DISCUSSION:**

The Third Street Grade Separation project (Project) proposes to construct a railroad underpass at Third Street and the BNSF railroad tracks. Third Street will be lowered from about Vine Street to Park Avenue and a bridge will be constructed to convey rail traffic. The project will require the realignment of Commerce Street, construction of slopes, retaining walls, storm water pump station, and relocation of wet and dry utilities.

The PA&ED phase of the Project began in January 2018 and was scheduled to be complete by October of 2020. However, due to the current pandemic, the completion of this phase of the Project has been delayed and is expected to occur by March 2021. Moreover, the consultant has submitted a request for additional out of scope work related to the environmental studies required for the Project (Attachment 1). The consultant has agreed to provide the additional services for a fee of \$19,500 resulting in a total revised contract amount of \$666,149.

## **FISCAL IMPACT:**

The total cost of the Third Street Grade Separation is estimated at \$55.5 million including engineering; right-of-way acquisitions; City sewer, water, and electric utility relocations; and construction and construction engineering. The following tables summarize the Project costs and funding:

Table 1—Project Costs

Task	Amount (\$M)
Preliminary and Final Engineering	4.0
Right-of-Way Acquisitions, Relocations and Building Demolitions	23.0
Construction, Utility Relocations, and Construction Engineering	28.5
Total	55.5

Table 2—Project Funding

Source	Amount (\$M)	Status
City Funds, including utility relocation costs by Riverside Public Utilities	4.00	
State Section 190 Grade Separation	5.00	Anticipated
WRCOG TUMF	8.25	Secured
Burlington Northern Santa Fe Railroad (Matching Funds)	2.00	Anticipated
Federal CMAQ	18.00	Secured
Trade Corridor Enhancement Program (TCEP) Grant	18.25	Future Submittal
Total	55.5	

Sufficient funds for the Second Amendment to the Professional Consultant Services Agreement in the amount of \$19,500 for a total contract amount of \$666,149 are available in the TUMF Fund, Third Street Grade Separation Project Account No. 9990119-440315 (Third St/BNSF Grade Separation – TUMF funds).

Prepared by: Kris Martinez, Public Works Director  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachment: Amendment No. 2 to the Professional Consultant Services Agreement