



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: AUGUST 6, 2024**

FROM: PUBLIC WORKS DEPARTMENT **WARD: 5**

SUBJECT: APPROVE THE THIRD AMENDMENT TO PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH T.Y. LIN INTERNATIONAL OF ONTARIO, CALIFORNIA, FOR STATE ROUTE 91/ADAMS STREET INTERCHANGE RECONFIGURATION IN THE AMOUNT OF \$163,426 FOR A TOTAL CONTRACT AMOUNT OF \$2,421,375

ISSUE:

Approve the third amendment to Professional Consultant Services Agreement with T.Y. LIN International of Ontario, California, for the State Route 91/Adams Street Interchange Reconfiguration in the amount of \$163,426 for a total contract amount of \$2,421,375.

RECOMMENDATION:

That the City Council approve the third amendment to Professional Consultant Services Agreement with T.Y. LIN International of Ontario, California, for the State Route 91/Adams Street Interchange Reconfiguration in the amount of \$163,426 for a total contract amount of \$2,421,375.

BACKGROUND:

On April 26, 2016, the City Council approved a Professional Consultant Services agreement with T.Y. Lin International, Ontario, for \$405,401 from the Public Works Department Budget for Request for Proposal No. 1560 for preparation of a Project Study Report-Project Development Support (PSR-PDS) for the State Route 91/Adams Street Interchange Reconstruction.

On July 26, 2016, the City Council approved a Cooperative Agreement with the State of California Department of Transportation (Caltrans) for the review and approval of all the Project Initiation Documents for the State Route 91/Adams Street Interchange Reconstruction in an amount not-to-exceed \$150,000.

On November 28, 2017, the City Council approved an agreement with the Western Riverside Council of Governments for \$4.1 million in Transportation Uniform Mitigation Fee funding for the planning and engineering phases of the Project.

On July 16, 2019, the City Council approved a Professional Consultant Services agreement with T.Y. LIN International for \$2,205,053 from the Public Works Department Budget from the Request for Proposal No. 1871 for the preparation of the Project Approval and Environmental Document (PA&ED) for the State Route 91/Adams Street Interchange Reconstruction. The City Council also authorized a supplemental appropriation in the amount of \$935,000 in Federal Regional Surface

Transportation Program (RSTP) funds to support the PA&ED phase.

On June 16, 2020, the City Council approved the First Amendment to Professional Consultant Services Agreement (Amendment) with T.Y. LIN International (TYLIN) for the Project Approval and Environmental Documents (PA&ED) phase of the State Route 91/Adams Street Interchange Reconstruction, increasing the compensation by an additional \$52,895.00 for a total amount of \$2,257,948.00. This increase in compensation was to prepare a detailed study to assess one additional alternative, the “ovalbout,” for its queuing capacity, maneuverability, constructability, right-of-way impacts, and most importantly, its operational improvements and Level of Service (LOS).

On September 14, 2023, the Second Amendment to Professional Consultant Services Agreement was executed to extend the original Professional Consultant Services Agreement, including its original terms to August 22, 2025.

DISCUSSION:

As a part of the PA&ED phase, multiple environmental studies and reports are prepared for each project alternative to assess its impacts to the surroundings during and after construction. The culmination of these studies and reports, the perceived impacts, and proposed mitigations are compiled into an Initial Study with Proposed Mitigated Declaration/Environmental Assessment. During the preparation of the PA&ED, new State and Federal requirements can be adopted requiring additional efforts that were not included in the original scope of work. Below is a summary of these requirements:

1. The U.S. Fish and Wildlife Service updated their species list and added monarch butterfly as a new federal candidate species occurrence, which is needed to be analyzed and included in the Natural Environment Study/Minimal Impacts Addendum.
2. Based on the detailed field evaluations and coordination with the California Department of Transportation (Caltrans), it was determined that a formal jurisdictional delineation is required for the project. The Jurisdictional Delineation (JD) Report will identify and quantify the limits of U.S. Army Corps of Engineers (USACE) wetland and non-wetland waters of the U.S., Regional Water Quality Control Board (RWQCB) wetland and non-wetland waters of the State, and California Department of Fish and Wildlife (CDFW) stream features and associated riparian areas, where present, within the project area boundaries.
3. Regarding Cultural Resources – Historic Resources Evaluation, the original scope of work assumed a maximum of 6 buildings/structures are within the project’s limits. However, based on field surveys conducted during the process, it was determined that a total of eight (8) buildings/structures required evaluation.
4. On February 2, 2023, Caltrans updated its Community Impact Assessment (CIA) template to require the analysis to include the Federal Highway Administration’s definition of a “Disproportionately High and Adverse Effect on Minority and Low-Income Populations.” The equity analysis would take into consideration how the project would affect historic disparities and underserved communities.
5. Coordination of Right of Entry and Support is required to conduct noise surveys within the private properties. Additional meetings with property owners are needed to address concerns about the locations of noise measurement equipment and re-mobilization of personnel involved with the fieldwork.

6. For the Noise Study Report, Caltrans requested that modeling for the no-build and build conditions be submitted for review and approval prior to submittal of the Noise Study Report to Caltrans for review and approval. This separate review process resulted in unanticipated additional rounds of review.
7. Climate Change Analysis—Caltrans' current Climate Change Annotated Outline requires that a significance determination be made pursuant to the California Environmental Quality Act and associated Caltrans guidance as it relates to project-related greenhouse gas (GHC) emissions. This significance determination was not required and was not a part of the original scope. However, Caltrans requested that this analysis be completed. For non-capacity-increasing projects such as this one, the GHC analysis is qualitative in nature and requires additional evaluation of data.

As a part of the PA & ED phase, staff, consultant, and sub-consultant held two public meetings, one on February 8, 2024, and a second one on March 14, 2024, both took place at the Arlington Public Library. General questions and concerns from those in attendance were related to Right-of-Way acquisition, traffic handling during construction, schedule of the future phases, and how this project would affect the greenbelt areas surrounding Victoria Avenue. In addition to the public meetings, staff also attended and provided project updates to the Residents for Responsible Representation (RRR) on April 17, 2024, and to the Arlington Business Council Board on June 24, 2024.

The PA & ED phase of this project is anticipated to be completed by Summer 2024. The table below summarizes the schedule for the future milestones of this project upon funding availability:

Milestones	Anticipated Completion
Project Approval & Environmental Document	Summer 2024
Plans, Special Provisions, and Estimates	Summer 2026
Right-of-Way Acquisition	Summer 2027
Start of Construction	Summer 2027
End of Construction	Summer 2029

Purchasing Resolution 24101, Section 1104 - Change Orders, states that "Modifications to a Purchase Order shall be made only by Change Order. Subject to the availability of funds, Change Orders may be utilized for purposes of...(2) modifying unit prices... Unless otherwise specifically authorized by the Awarding Entity, Change Orders which cumulatively exceed the following will require Awarding Entity approval; (c) 10% of the original contract price for Contracts and/or Purchase Orders previously approved by the Awarding Entity and the total Change Order amount will not exceed \$150,000."

The Purchasing Manager concurs that the recommended action complies with Purchasing Resolution No. 24101 Section 1104(2) and (c).

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 6 – Infrastructure, Mobility and Connectivity** and **Goal No. 6.2** – Maintain, protect, and improve assets and infrastructure within the City's built environment to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.

Furthermore, this project aligns with each of the Cross-Cutting Threads as follows:

1. **Community Trust** – Riverside is transparent and makes decisions based on sound policy, inclusive community engagement, involvement of City Boards & Commissions, and timely and reliable information. Activities and actions by the City serve the public interest, benefit the City's diverse populations, and result in greater public good. The proposed improvements are part of a significant endeavor to improve traffic circulation and resolve congestions on City's streets surrounding the Adams Street interchange.
2. **Equity** – Riverside is supportive of the City's racial, ethnic, religious, sexual orientation, identity, geographic, and other attributes of diversity and is committed to advancing the fairness of treatment, recognition of rights, and equitable distribution of services to ensure every member of the community has equal access to share the benefits of community progress. The Project will improve the operational efficiency of traffic for everyone using the Adams Street on/off ramps to access the City's local streets, businesses, and residential communities.
3. **Fiscal Responsibility** – Riverside is a prudent steward of public funds and ensures responsible management of the City's financial resources while providing quality public services to all. The proposed Project improvements will enhance accessibility and resolve traffic congestion around the Adams Street interchange, hence equating to time saved from queuing in traffic.
4. **Innovation** – Riverside is inventive and timely in meeting the community's changing needs and prepares for the future through collaborative partnerships and adaptive processes. This project provides an improved solution to address the existing traffic congestion around the SR-91/Adams Street interchange.
5. **Sustainability & Resiliency** – Riverside is committed to meeting the needs of the present without compromising the needs of the future and ensuring the City's capacity to persevere, adapt and grow during good and difficult times alike. The proposed multi-modal improvements—vehicular, bicyclists, and pedestrians—associated with this project will enhance sustainability well into the future years.

FISCAL IMPACT:

The total fiscal impact of this action is \$163,426. Sufficient funds are budgeted and available as shown in Table 1 below.

Table 1. Total Project Funding Available

Fund	Project	Account	Amount
Capital Outlay-Grants	Adams/SR-91 Interchange Project	9882128-440125	\$97,500.18
Gas Tax		9882127-440223	\$1,375,897.23
TUMF		9882119-440315	\$2,698,195.47

Prepared by: Thuy Nguyen, Principal Engineer
 Approved by: Gilbert Hernandez, Public Works Director
 Certified as to
 availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
 Approved by: Kris Martinez, Assistant City Manager
 Approved as to form: Phaedra A. Norton, City Attorney
 Attachments: Third Amendment to Professional Consultant Services Agreement