

**City Manager's Report**  
**February 26, 2019 City Council Meeting**  
**Prepared by: Melissa McConnell, Associate Civil Engineer**



**Item #: 12.6**

**Subject: Adopt a Resolution:**

1. Approving contract Amendment No. 2 with R.E.Y. Engineers, Inc. (R.E.Y.) in an amount not to exceed \$29,222 for the Broadway Sidewalks Project (CIP #41606) and authorizing the City Manager to execute the same; and
2. Authorizing staff to issue Notice to Proceed #3 to R.E.Y. Engineers, Inc. for Phase II (Plan, Specifications, and Estimate) in an amount not to exceed \$45,192 for the said project; and
3. Authorizing staff to issue Notice to Proceed #4 to R.E.Y. Engineers, Inc. for Phase III (Right-of-Way) in an amount not to exceed \$7,214 for the said project; and
4. Approving a budget appropriation in the amount of \$10,000 from the Measure L Fund for the purposes of roadway shoulder design work for the said project; and
5. Approving a budget appropriation in the total amount of \$36,000 in Highway Safety Improvement Program (HSIP) revenue for the said project; and
6. Approving a budget appropriation in the amount of \$4,840 from the Gas Tax Fund for the said project.

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**Purpose:** This project will provide gap closure to existing pedestrian facilities on Broadway from Mosquito Road to Schnell School Road to improve pedestrian safety within the Broadway corridor.

**Background:**

The Broadway Sidewalks Project (CIP #41606) will improve sidewalk connectivity along Broadway between Mosquito Road and Schnell School Road, creating a continuous path of travel for pedestrians. The improvements include the construction of curb, gutter and sidewalk in select locations, and potentially construction of a new transit stop.

On July 31, 2015, an application was submitted for funding for Preliminary Engineering, Right-of-Way, and Construction from the federal Highway Safety Improvements Program (HSIP). On November 12, 2015, staff was notified that the application was successful in receiving \$679,500 in HSIP funding towards an overall project cost of \$755,000. In 2018, staff requested additional HSIP funding on the basis that construction costs have increased and the project scope needed to include the reconstruction of a sidewalk retaining wall. On October 8, 2018, staff was notified that the additional HSIP funding was approved with an overall project cost of \$1,066,470, with \$959,810 in HSIP funds.

**Discussion:**

On May 8, 2018, City Council approved a Consulting Services Agreement with R.E.Y. Engineers, Inc. (R.E.Y.) in an amount not to exceed \$119,844 for environmental review and engineering design services for the Broadway Sidewalks Project (CIP #41606). At that same time, the City Council approved Notice to Proceed #1 in the amount of \$59,630 authorizing R.E.Y. Engineers, Inc. to begin with the Phase I work.

On October 23, 2018, staff received the E-76 federal authorization of the additional preliminary engineering HSIP funds that will fully-fund the second phase of preliminary engineering (PS&E).

After the Phase I work began, Caltrans provided feedback on the Preliminary Environmental Study form and required additional technical studies beyond what was originally assumed in the scope of work. On January 22, 2019, the City Council approved a scope change amendment to R.E.Y.'s contract that transferred \$29,222 from contract Phase II (Plans, Specifications, and Estimate) to contract Phase I (Project Approval and Environmental Documentation) to complete the Location Hydraulic Study required by Caltrans that needed to be completed prior to environmental approval. Since that time, staff received approval from Caltrans Local Assistance on moving \$36,000 in HSIP funds from the Construction phase to the Preliminary Engineering phase to cover the cost of the two additional technical studies. The E-76 federal authorization of the additional PE funds was received on January 24, 2019. Staff is recommending approval of Amendment No. 2 in an amount not to exceed \$29,222 with a total amended contract amount of \$149,066.

Amendment No. 2 includes the proposed revisions to the contract as follows:

| <b>Phase</b>   | <b>Revised Agreement (Including Amendment 1)</b> | <b>Proposed Agreement (with Amendment 2)</b> | <b>Increase/ (Decrease)</b> |
|--|--|--|-----------------------------|
| Phase I – Preliminary Engineering and environmental documentation (PA/ED)    | \$ 88,852  | \$ 88,852                                    | \$ -                        |
| Phase II – Preliminary Engineering (Plans Specifications and Estimate (PS&E) | 15,970   | 45,192                                       | 29,222                      |
| Phase III – Right-of-Way   | 7,214  | 7,214  | -                           |
| Phase IV – Construction Engineering  | 7,808  | 7,808  | -                           |
| <b>Total</b>   | <b>\$ 119,844</b>                                | <b>\$ 149,066</b>                            | <b>\$ 29,222</b>            |

Staff is also recommending issuance of NTP #3 to R.E.Y. for Phase II (PS&E) in an amount not to exceed \$45,192 for a total authorized amount of \$134,044. NEPA clearance for the project was received on February 6, 2019. Staff submitted the Request for Authorization to proceed with Right-of-Way on February 11, 2019 and we anticipate receiving the E-76 federal authorization by the beginning of March. Staff is recommending issuance of NTP #4 to R.E.Y. for Phase III (Right-of-Way) in an amount not to exceed \$7,214 for a total authorized amount of \$141,258.

**Cost:**

The cost of work being approved at this time is a not to exceed amount of \$45,192 for NTP #3, and a not to exceed amount of \$7,214 for NTP #4 with R.E.Y. for a total of \$52,406.

**Budget Impact:**

At its meeting held on May 8, 2018, the City Council appropriated \$80,000 for the Broadway Sidewalks project (CIP #41606). On December 11, 2018, the City Council approved \$55,900 in additional budget appropriation. At its meeting held on May 17, 2018, the Measures H/L Sales Tax Committee recommended a \$10,000 budget appropriation from the Measure L Fund for pavement design of the Broadway Sidewalks project (CIP #41606). Staff also recommends a \$4,840 budget appropriation from the Gas Tax Fund and a \$36,000 budget appropriation in HSIP revenues for a total project budget of \$186,740. The proposed project revenue budget is shown below:

| <b>Funding Source</b> | <b>Revised Project Revenue Budget</b> | <b>Proposed Revenue Project Budget</b> | <b>Increase/ (Decrease)</b> |
|-----------------------|---------------------------------------|--|-----------------------------|
| HSIP                  | \$ 122,310                            | \$ 158,310                             | \$ 36,000                   |
| Gas Tax Fund          | 13,590                                | 18,430                                 | 4,840.00                    |
| Measure L Fund        | -                                     | 10,000                                 | 10,000                      |
| <b>Total</b>          | <b>\$ 135,900</b>                     | <b>\$ 186,740</b>                      | <b>\$ 50,840</b>            |

To date, the project has encumbered the following costs:

|   |                   |
|---|-------------------|
| R.E.Y. Engineers, Inc. (Notice to Proceed No. 1)          | \$ 59,630         |
| R.E.Y. Engineers, Inc. (Notice to Proceed No. 2)          | 29,222            |
| R.E.Y. Engineers, Inc. (Proposed Notice to Proceed No. 3) | 45,192            |
| R.E.Y. Engineers, Inc. (Proposed Notice to Proceed No. 4) | 7,214             |
| El Dorado County Recorder-Clerk                           | 50                |
| John Driscoll, City Attorney                              | 333               |
| Mountain Democrat   | 68                |
| City Staff  | 16,352            |
| <b>Total</b>  | <b>\$ 158,061</b> |

As you can see, the \$158,061 in project encumbrances, including the proposed NTP #3 and NTP #4 with R.E.Y. is within the \$186,740 project budget.



**Options:**

1. Authorize Amendment No. 2, issuance of NTP #3, and issuance of NTP #4 with R.E.Y. to allow for the continuation of project delivery efforts, as recommended by staff.
2. Reject the Amendment No. 2, NTP #3, and NTP #4 with R.E.Y. and provide staff direction on the project.

**Recommendation:**

## Adopt a Resolution:

1. Approving contract Amendment No. 2 with R.E.Y. Engineers, Inc. (R.E.Y.) in an amount not to exceed \$29,222 for the Broadway Sidewalks Project (CIP #41606) and authorizing the City Manager to execute the same; and
2. Authorizing staff to issue Notice to Proceed #3 to R.E.Y. Engineers, Inc. for Phase II (Plan, Specifications, and Estimate) in an amount not to exceed \$45,192 for the said project; and
3. Authorizing staff to issue Notice to Proceed #4 to R.E.Y. Engineers, Inc. for Phase III (Right-of-Way) in an amount not to exceed \$7,214 for the said project; and
4. Approving a budget appropriation in the amount of \$10,000 from the Measure L Fund for the said project; and
5. Approving a budget appropriation in the total amount of \$43,460 in Highway Safety Improvement Program (HSIP) revenue for the said project; and
6. Approving a budget appropriation in the amount of \$4,840 from the Gas Tax Fund for the said project.

  
M. Cleve Morris, City Manager  
Rebecca Neves, City Engineer

## Attachments:

1. Resolution
2. Project Drawing