

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Prepared by: Joseph Fiss, Principal Planner 

DATE: August 24, 2010 (CC Meeting of 9/1/2010)

SUBJECT: Consider Amendment to Agreement for Professional Services with Parsons Transportation Group for Preliminary Engineering, Environmental Analysis, Design, and Right-of-Way Activities for the Installation of Soundwalls on SR-23 and Resolution Amending the Fiscal Year 2010/2011 Budget to Fund Additional Professional Services

BACKGROUND/DISCUSSION

On March 18, 2009, the City Council awarded a agreement to provide professional services with Parsons Transportation Group for preliminary engineering, environmental analysis, design, and right-of-way activities for the installation of the soundwalls along the west side of State Route 23, north of Tierra Rejada Road. The \$257,932.94 agreement was finalized and executed on May 28, 2009. The term of the agreement (one year) and the scope of work were based on early discussions with Caltrans on what was needed for encroachment permits for the construction of the soundwalls. Caltrans has taken longer than expected in its review of materials and most recently has requested a study on aially deposited lead and has asked for an increased overlap of the portion of the wall that extends across the southbound off-ramp at Tierra Rejada Road. Staff is now requesting an amendment of the agreement for professional services to extend the timeframe one year to cover any more unexpected delays and to expand the scope of work to cover the additional study and engineering needed to obtain an encroachment permit to build the soundwall.

Aerially Deposited Lead (ADL) Testing – Caltrans has required ADL testing to address the handling and disposition of dirt that will be hauled off the site when the footings for the soundwall are excavated. ADL results from emissions of vehicles that used leaded gasoline. It is typically found within the top several feet of material in unpaved areas

within the highway right-of-way. ADL could create a potential hazard to workers when disturbed and could require placement at a landfill approved for contaminated dirt. If ADL is found above acceptable levels, Parsons will include a Lead Compliance Plan in the construction bid documents. The contractor will be required to mitigate the lead in a manner acceptable to Caltrans. This can include proper disposal and replacement of any contaminated soil, or mixing the contaminated soil with on-site soil such that the percentage of lead is reduced to acceptable levels. Parsons has proposed to complete the ADL testing at a cost of \$23,660.68.

Soundwall Overlap – During the design process, Caltrans required that the soundwalls be longer than originally presented in the City's Request for Proposals and the associated noise study in order to better accommodate additional overlap between the two soundwalls on either side of the Tierra Rejada Road off-ramp. Originally, the combined length of the soundwalls was expected to be approximately 1,500 linear feet. Caltrans overlap requirement leaves the total combined length of the soundwalls at 1,724 linear feet. This requires additional engineering design at a proposed cost of \$12,822.94. The additional engineering consists of:

- Designing the horizontal and vertical alignments of the wall extensions.
- Designing the pile foundations in relation to existing underground utilities for the wall extensions.
- Including the wall extensions in the layout, contour grading, drainage, utility, electrical, landscape, irrigation, stage construction, and pavement delineation sheets.
- Updating the Storm Water Data Report, Fact Sheet, NBSSR, Cost Estimate, and environmental documents, if necessary, to include the new wall lengths and impacted areas based upon the wall extensions.

Attached is Parson's Proposal for Additional Services, including Aerially Deposited Lead Assessment and Testing, and Additional Engineering Services, for an additional contract amount of \$36,483.62.

FISCAL IMPACT

A budget amendment is required to allocate funds for this proposal and is attached. The funding source is the Carlsberg portion of the Citywide Traffic Mitigation Fund, which currently has a net balance of \$1,877,437.79. \$1,700,000.00 of this amount has been appropriated for the soundwall project, leaving an available balance of \$127,437.79. Staff estimates that there will be additional revenue to this fund of approximately \$780,000.00 as a result of the build-out of the Patriot Commerce Center, the Home Depot site, and the former Peach Hill Medical site.

The following table shows the estimated total project costs for the soundwall:

Engineering/Design (Current Proposal, Completed/Paid)	\$193,381.66
Engineering/Design (Current Proposal, Remaining/Unpaid)	\$64,551.28
Aerially Deposited Lead (ADL) Testing	\$23,660.68
Additional Engineering	\$12,822.94
Construction Costs (City Estimate based on future costs, contingencies, and inspections)	\$1,700,000.00
Total	\$1,994,416.56

The Fiscal Year 2010/2011 budget includes \$1,760,000 for this project, with \$60,000 allocated for the completion of design/engineering, \$1,600,000 for construction, and \$100,000 for construction inspection. A resolution is attached for Council consideration to add \$40,000 to the budget for this project for the additional study/design work outlined in this report.

STAFF RECOMMENDATION (Roll Call Vote Required)

1. Adopt Resolution No. 2010-____ approving a budget amendment for up to \$40,000.00.
2. Authorize the City Manager to amend the agreement with Parsons Transportation Group for preliminary engineering, environmental analysis, design, and right-of-way activities for the soundwalls on SR-23 for a one (1) year period and for a new total amount not to exceed \$294,416.56, subject to final language approval by the City Manager and City Attorney.

ATTACHMENTS:

1. Draft Resolution with Appropriation and Budget Detail
2. Draft Amendment to Agreement for Professional Services
3. Proposal for Additional Services

RESOLUTION NO. 2010-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2010/2011 BUDGET TO APPROPRIATE FUNDS FROM CITY-WIDE TRAFFIC MITIGATION FUND (2002), IN THE AMOUNT OF \$40,000.00 FOR PRELIMINARY ENGINEERING, ENVIRONMENTAL ANALYSIS, DESIGN, AND RIGHT-OF-WAY ACTIVITIES FOR THE INSTALLATION OF SOUNDWALLS ON SR-23

WHEREAS, on June 16, 2010, the City Council adopted the Operations and Capital Improvement Projects Budget for Fiscal Year 2010/2011;

WHEREAS, the adopted budget includes appropriations totaling \$1,760,000 in the City-Wide Traffic Mitigation Fund (2002) for the 23 Freeway Soundwall at Tierra Rejada Road Capital Improvement Project (8079);

WHEREAS, on May 28, 2009 the City entered into a one-year agreement with Parsons Transportation Group (Parsons) to perform preliminary engineering, environmental analysis, design and right-of-way activities for the installation of soundwall on SR-23 for a total contract cost of \$257,932.94. As of July 20, 2010 the City has paid Parsons \$193,381.66 for work completed through May 27, 2010;

WHEREAS, an agenda report has been presented to Council discussing the status of the project and outlining the additional scope of work required by Caltrans for the construction of the soundwalls;

WHEREAS, the same agenda report recommends amending the design and engineering Agreement for Professional Services with Parsons for one-year and modifying the scope of work to include the Aerially Deposited Lead (ADL) testing and Soundwall Overlap for a new total contract amount not to exceed \$294,416.56;

WHEREAS, a budget amendment increase of \$40,000 is required from the City-Wide Traffic Mitigation Fund (2002) for the 23 Freeway Soundwall At Tierra Rejada Road Capital Improvement Project (8079) to pay for the additional testing and engineering services ; and

WHEREAS, on September 1, 2010, a staff report was presented to the City Council requesting a Budget appropriation in the aggregate amount of \$40,000; and

WHEREAS, Exhibit "A" attached hereto and made a part hereof, describes said Budget amendment and its resultant budget impacts to the Budget line item(s).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

CC ATTACHMENT 1

SECTION 1. That a Budget appropriation in the aggregate amount of \$40,000.00 as more particularly described in attached Exhibit "A", is hereby approved.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 1st day of September, 2010.

Janice S. Parvin, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit "A": Appropriation and Budget Detail

EXHIBIT A

**BUDGET AMENDMENT FOR THE CITY-WIDE TRAFFIC
MITIGATION FUND FOR CONSULTANT SERVICES TO
PROVIDE PROFESSIONAL SERVICES FOR PRELIMINARY
ENGINEERING, ENVIRONMENTAL ANALYSIS, DESIGN,
AND RIGHT-OF-WAY ACTIVITIES FOR THE
INSTALLATION OF SOUNDWALLS ON SR-23
FY 2010/2011**

FUND ALLOCATION FROM

Fund	Account Number	Amount
City-wide Traffic Mitigation Fund (Carlsberg Portion)	2002-5500	\$40,000.00

DISTRIBUTION OF APPROPRIATION TO EXPENSE ACCOUNTS

Account Number	Current Budget	Revision	Amended Budget
2002-6440-8079-9601	\$60,000.00	\$40,000.00	\$100,000.00

Finance Approval: 

**AMENDMENT NO. 1
TO AGREEMENT
BETWEEN THE CITY OF MOORPARK
AND PARSONS TRANSPORTATION GROUP**

Original Agreement No.: 2009-078

Date of Original Agreement: May 28, 2009

Organization / Firm: Parsons Transportation Group

Amendment No.: 1

Effective Date of This Amendment: _____

Subject of Amendment: Additional consulting services provided by Parsons Transportation Group including Aerially Deposited Lead Assessment and Testing; and Additional Engineering for Soundwall Overlap, and One Year Extension of Existing Agreement

RECITALS

- A. Whereas the City of Moorpark ("City") and Parsons Transportation Group ("Consultant"), entered into an Agreement on May 28, 2009, setting forth the terms, conditions and scope of work for certain services to be provided to City by Consultant; and,
- B. Whereas City and Consultant find it necessary to amend the Agreement to authorize certain additional work as described herein; and,
- C. Whereas additional time is necessary to perform the additional work.

NOW, THEREFORE, in consideration of the mutual covenants, benefits and premises herein stated, the parties hereto agree to AMEND the aforesaid Agreement as follows:

I. Section 1 is amended as follows:

1. Term

The termination date of this agreement is extended until May 30, 2011.

II. Section 2 is amended as follows:

2. Services

Additionally, Consultant shall Complete Aerially Deposited Lead Assessment and Testing; and Additional Engineering for Soundwall Overlap, as identified in Exhibit "A", as attached and incorporated herein.

III. Section 5 is amended as follows:

5. Payment

d) For furnishing services as specified in this Agreement, City shall pay and Consultant shall receive additional compensation of \$36,483.62 for Aerially Deposited Lead Assessment and Testing and Additional Engineering for Soundwall Overlap, invoiced at the completion of each task. Total compensation not to exceed \$294,416.56 as identified in Agreement No. 2009-078 and Exhibit A, as attached and incorporated herein.

IV. Remaining Provisions

All other provisions of the aforesaid Agreement shall remain in full force and effect.

CITY OF MOORPARK:

PARSONS TRANSPORTATION GROUP:

Steven Kueny, City Manager

Tony Velasquez, P.E., Project Manager

Date

Date

Attest: _____
Deborah S. Traffenstedt
City Clerk

Date

August 10, 2010

Mr. Joseph Fiss
Principal Planner
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Subject: SR-23 Soundwall Project - Proposal for Aerially Deposited Lead Assessment and Testing, and Additional Engineering Services

Dear Mr. Joseph Fiss,

This letter outlines the additional services that we propose to accomplish for the City of Moorpark SR-23 soundwall project.

Aerially Deposited Lead:

Caltrans has requested additional Aerially Deposited Lead (ADL) research and field testing that we did not originally anticipate as part of this project. Please see the attached memo from Caltrans that requests this analysis and the letter outlining the requirements. As part of this effort, Parsons will prepare an Aerially Deposited Lead assessment and technical memo of the historical uses of the site and the potential for the presence of lead. Also Fugro will conduct ADL field testing of the site and will report the results to the City and to Caltrans per Caltrans requirements, as outlined in the Fugro proposal attached.

Additional Engineering Services:

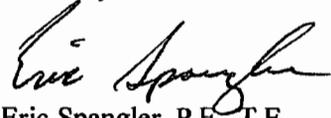
In addition, Caltrans has requested longer soundwalls than originally presented in the City's RFP and the associated noise study. The original RFP proposed a total of 1,500 linear feet of wall. Currently 1,724 linear feet of wall is proposed per Caltrans request. The additional length in wall will require additional engineering effort to obtain Caltrans approval of the Fact Sheet, NBSSR, and Construction Plans. As part of this effort, Parsons will:

- Design the horizontal and vertical alignments of the wall extensions.
- Design the pile foundations in relation to existing underground utilities for the wall extensions.
- Include the wall extensions in the layout, contour grading, drainage, utility, electrical, landscape, irrigation, stage construction, and pavement delineation sheets.
- Update the Storm Water Data Report, Fact Sheet, NBSSR, Cost Estimate, and environmental documents, if necessary, to include the new wall lengths and impacted areas based upon the wall extensions.

Please see the attached fee proposals for this scope of work. Parsons is requesting \$12,822.94 for the Additional Engineering Services, and \$23,660.68 for the Aerially Deposited Lead Assessment and Testing.

Please review the attached fee proposal and Fugro's proposal, and let me know if this is acceptable. Please do not hesitate to call me at (626) 440-2519 if you have any questions. Thank you very much.

Sincerely,



Eric Spangler, P.E., T.E.
Project Engineer



**CITY OF MOORPARK - SR23 Soundwalls at Tierra Rejada Road - Additional Engineering due to Wall Extensions
 PARSONS Fee Proposal - August 2010**

TASK No.	TASK DESCRIPTION	Project Engineer Eric Spangler \$166.51	Highway Design JHye Jung \$88.46	Environmental Planner Angela Schnapp \$111.27	Storm Water Data Report/Hydrology Chris Hinds \$98.96	HOURS BY ACTIVITY	PARSONS TOTAL LABOR
1	ADDITIONAL ENGINEERING FOR WALL EXTENSIONS						
1.1	Design Horizontal and Vertical Alignments	8	16			24	\$2,683.76
1.2	Update Construction Plans (layout, contour grading, drainage, utility, electrical, landscape, irrigation, stage construction, and pavement delineation sheets)	20	30			50	\$5,824.60
1.3	Update Storm Water Data Report, Fact Sheet, NBSSR, Cost Estimate, and Environmental Documents	6		16	16	38	\$4,314.58
	HOURS :	34	46	16	16	112	
	LABOR :	\$6,389.34	\$4,070.08	\$1,780.32	\$1,583.20		\$12,822.94

**CITY OF MOORPARK - SR23 Soundwalls at Tierra Rejada Road - Proposed Aerially Deposited Lead Assessment, Testing, & Reporting
PARSONS Fee Proposal - August 2010**

TASK No.	TASK DESCRIPTION	SUBCONSULTANT					PARSONS TOTAL LABOR	HOURS BY ACTIVITY	TASK TOTAL
		Project Engineer Eric Spangler \$155.34	Environmental Planner Pika Ferejan \$93.17	Hazardous Waste Angela Schnapp \$111.27	Environmental Oversight QA/QC Elvira Gaddi \$201.68	FUGRO ADL TESTING			
1	AERIALY DEPOSITED LEAD ASSESSMENT, TESTING, & REPORTING								
1.1	Aerially Deposited Lead Assessment & Caltrans Approval	2	16	8	3		29	\$3,296.60	
1.2	Aerially Deposited Lead Testing Work Plan	4					4	\$621.36	
1.3	Obtain Caltrans Encroachment Permit	4					4	\$621.36	
1.4	ADL field testing and Reporting	4					4	\$621.36	
	HOURS :	14	16	8	3		41		
	LABOR :	\$2,174.76	\$1,480.72	\$890.16	\$605.04			\$5,160.68	
								\$18,600.00	
								\$23,660.68	