

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Sean Corrigan, P.E., City Engineer/Public Works Director
Prepared by: Al Gali, Assistant Engineer **ALG**



DATE: June 8, 2016 (CC Meeting of 6/15/16)

SUBJECT: Consider Amendment No. 2 to Agreement with Griffith Company for State Highway 118 (Los Angeles Avenue) Widening from Maureen Lane to Leta Yancy Road (Project 8058), and Resolution Amending the Fiscal Year 2015/16 Budget for Additional Construction Work for Project 8058

BACKGROUND

On February 18, 2015, the City Council awarded a construction contract to Griffith Company (Griffith) in an amount not to exceed \$938,091.00 and authorized the City Manager to sign the Agreement. City Council also authorized the City Manager to amend the construction contract for project contingencies in an amount not to exceed \$95,000.00 if and when the need arises for extra work and services. On October 26, 2015, staff from the City's project management and inspection firm, Filippin Engineering, informed the City that a 309-ft extension of the protective concrete cap over Calleguas Municipal Water District's (Calleguas) existing 36-inch water pipeline would exceed the \$95,000.00 contingency. On November 4, 2015, City Council approved a request to increase the contingency in the amount of \$50,000.00. Subsequently, staff determined that Griffith will be required to: install a thicker than expected neoprene cover over Calleguas' water pipeline because of an ambiguity in Calleguas' cap detail; provide field surveying for water pipeline appurtenances during their relocation; and, per the California Department of Transportation (Caltrans), provide more secure traffic control during construction. In addition, recent soil testing and potholing (depth measurements) confirmed that a second extension of the protective concrete cap over Calleguas' waterline is needed. These contract changes sum to a total of about \$500,000.00. The protective concrete cap work included in the original contract started on May 2, 2016 and is on schedule.

DISCUSSION

Construction costs of the project have increased due to the following four issues:

- 1) Griffith had to purchase additional neoprene cover for the pipe due to ambiguities with Calleguas' construction detail;
- 2) The length of concrete cap had to be extended when Caltrans increased the depth/thickness of the roadway section. The updated section increased the length of water pipeline that did not have the minimum amount of soil cover that Calleguas requires. Any portion of the water pipeline that does not meet the minimum cover requirement must be protected by a concrete cap;
- 3) Caltrans now requires more secure traffic control during construction. The revised traffic control plan adds K-rail and shifts all travel lanes to the north, encroaching into the center median to maintain two-lanes of traffic in both directions. The center median and left turn pockets into Maureen Lane, Goldman Avenue and Shasta Avenue will be temporarily removed; and
- 4) Additional costs for inspection and material testing as well as an additional deposit with Calleguas for their staff to inspect the cap installation.

Currently, seven contract change orders (CCO) are required for the increase in work. The City has already approved three CCOs that total \$22,704.37. The costs for the three CCOs are covered under the approved construction contingency budget and are summarized as follows:

<u>Description</u>	<u>Proposed Cost</u>
Original Contract Amount	\$ 938,091.00
Previously Approved CCOs	
CCO #1 - Potholing	\$ 2,915.36
CCO #2 - Additional Neoprene	\$ 17,567.01
CCO #4 - Additional Surveying	\$ 2,222.00
CCO Total	\$ 22,704.37
Current Contract Total	\$ 960,795.37
Construction Contingency	\$ 145,000.00
Remaining Construction Contingency	\$ 122,295.63

The estimated additional construction and construction inspection costs are as follows:

Description	Proposed Cost
Construction of Streets	
Current Construction Contract	\$ 960,795.37
Remaining CCOs	
CCO #3 - Additional 309-ft Concrete Cap	\$ 187,035.49
CCO #5 - Additional Potholing	\$ 3,399.07
CCO #6 - Revised Traffic Control	\$ 58,890.57
CCO #7 - Additional 322-ft Concrete Cap	\$ 227,275.12
Remaining CCOs Total	\$ 476,600.25
Proposed Construction Contract	\$ 1,437,395.62
Remaining Construction Contingency	\$ 122,295.63
Construction Inspection	
Current City Inspection/Material Testing Contract	\$ 205,462.00
Current Calleguas inspection Deposit	\$ 55,832.16
Additional Construction Inspection	
Inspection/Material Testing Increase	\$ 50,000.00
Calleguas Inspection Increase	\$ 50,000.00
Additional Inspection Total	\$ 100,000.00
Proposed Construction Inspection Budget	\$ 361,294.16

Based on the additional work; the total estimated project costs are summarized below:

Description	Estimated Cost
Design/Engineering	\$ 75,999.77
Construction of Streets	\$ 1,437,395.62
Construction Contingency	\$ 122,295.63
Construction Inspection	\$ 361,294.16
Project Total	\$ 1,996,985.18

FISCAL IMPACT

This project is funded by the Los Angeles Avenue Area of Contribution – (Fund 2501). The developer of the property fronting the project, Pacific Communities, will be conditioned to reimburse the City for its costs to construct this project.

The estimated project budget deficit is as follows:

Description	Budget from Inception to Date (\$)*	Progress Payment (\$)	Pending Payments (\$)	Budget Surplus / (Deficits) (\$)
Design/Engineering	97,000.00	(75,999.77)	0.00	21,000.23
Construction of Streets	1,140,000.00	(107,046.53)	1,509,553.72	(476,600.25)
Construction Inspection	241,000.00	(97,358.70)	243,641.30	(84,067.79)
	<u>1,478,000.00</u>	<u>(280,405.00)</u>	<u>1,753,195.02</u>	<u>(539,667.81)</u>

* The total CIP inception to date budget is \$1,490,000. In FY 13/14, \$21,000 was transferred for Design/Engineering (Acct 9601) to Transfers Out (Acct 9820) to cover staff time charges for that year. From FY 06/07 to FY 14/15 the cumulative staff time charges total \$65,581.59.

Construction of Streets (Account 9640) has a budget deficit of (\$476,600.25). Construction Inspection (Account 9650) has a budget deficit of (\$84,067.79). City staff proposes a budget line item transfer of \$21,000.00 from Design/Engineering to Construction of Streets. The design component for this project is complete and additional costs for Design/Engineering will not occur. The remaining construction deficit is (\$455,600.25). A resolution amending the budget (attached) is required to appropriate \$455,601.00 for Construction of Streets and \$85,000.00 for Construction Inspection for a total proposed change of \$540,601.00 as summarized below:

Fund 2501 - LA AOC	Current FY 15/16 Budget (\$)	Proposed Change (\$)	Adjusted FY 15/16 Budget (\$)
Design/Engineering	21,000.09	-21,000.00	0.09
Construction of Streets	1,084,167.84	476,601.00	1,560,768.84
Construction Inspection	164,107.14	85,000.00	249,107.14
Total	<u>1,269,275.07</u>	<u>540,601.00</u>	<u>1,809,876.07</u>

STAFF RECOMMENDATION (ROLL CALL VOTE)

1. Increase Griffith Company's total contract amount an additional \$476,601.00; authorize the City Manager to sign Amendment No. 2 to the Agreement between Griffith Company and the City of Moorpark, subject to final language approval by the City Manager, for Construction Services Related to the State Highway 118 (Los Angeles Avenue) Widening from Maureen Lane to Leta Yancy Road Specification No. MPK 15-01 in an amount not to exceed \$476,601.00.
2. Adopt Resolution No. 2016-_____ amending the Fiscal Year 2015/16 budget to appropriate \$540,601.00 from LA AOC Fund (2501) and authorize budget line item transfer for \$21,000.00 from the Design/Engineering account (9601) to Construction of Streets account (9640) for additional construction costs for the subject project.

Attachment:

- 1) Amendment No. 2
- 2) Resolution No. 2016-_____

**AMENDMENT NO. 2
TO AGREEMENT BETWEEN THE CITY OF MOORPARK AND
GRIFFITH COMPANY FOR CONSTRUCTION SERVICES RELATED TO THE STATE
HIGHWAY 118 (LOS ANGELES AVENUE) WIDENING FROM MAUREEN LANE TO
LETA YANCY ROAD SPECIFICATION NO. MPK 15-01**

This Amendment No. 2 to the Agreement between the City of Moorpark, a municipal corporation ("City"), and Griffith Company, a corporation ("Contractor"), for pavement construction services ("Agreement"), is made and entered into the ____ day of _____, 2016.

RECITALS

WHEREAS, on March 25, 2015, the City and Contractor entered into an Agreement to have the Contractor provide roadway widening, and waterline cap construction services in the amount of nine hundred thirty-eight thousand ninety-one dollars (\$938,091) plus a contingency amount of ninety-five thousand dollars (\$95,000) for a total amount of one million thirty-three thousand ninety-one dollars (\$1,033,091); and

WHEREAS, on February 16, 2016, the City and Contractor executed Amendment No. 1 of the Agreement which increased the contingency by fifty thousand dollars (\$50,000) for a revised Agreement value of nine hundred thirty-eight thousand ninety-one dollars (\$938,091) plus a contingency amount of one hundred forty-five thousand dollars (\$145,000) for total amount of one million eighty-three thousand ninety-one dollars (\$1,083,091); and

WHEREAS, the California Department of Transportation (Caltrans) required an additional layer of Class III Aggregate Base for the road and the thicker road increased the amount of water pipeline that did not meet Calleguas Municipal Water District's minimum separation requirement between the top of the water pipeline and the bottom of the road and therefore needs a protective concrete cap; and

WHEREAS, Caltrans required a revised traffic control plan with K-rail; and

WHEREAS, the Contractor has a quote for the additional protective concrete cap and Caltrans required revised traffic control plan (Exhibit D) in the amount of four hundred seventy-six thousand, six hundred one dollars (\$476,601); and

WHEREAS, the City and Contractor now desire to amend the Agreement to increase the compensation for services to be performed by Contractor from one million eighty-three thousand ninety-one dollars (\$1,083,091) by a value of four hundred seventy-six thousand, six hundred one dollars (\$476,601) for a total amount of one million five hundred fifty-nine thousand six hundred ninety-two dollars (\$1,559,692), and document said agreement to amend by jointly approving Amendment No. 2 to the Agreement.

NOW, THEREFORE, it is mutually agreed by and between the parties to the Agreement as follows:

I. Section 2, SCOPE OF SERVICES, is amended by replacing paragraph 3 in section in its entirety as follows:

“Compensation for the services to be performed by Contractor shall be in accordance with Exhibit B and Exhibit D, attached hereto and incorporated herein by this reference as though set forth in full. Compensation shall not exceed the rates or total value of one million five hundred fifty-nine thousand six hundred ninety-two dollars (\$1,559,692), which includes a contingency amount of one hundred forty-five thousand dollars (\$145,000), as stated in Exhibit B and Exhibit D without a written amendment to the agreement executed both parties. Payment by City to Contractor shall be as referred in this Agreement.”

II. Section 5, PAYMENT, is amended by replacing paragraph 1 of this section in its entirety as follows:

“The City agrees to pay Contractor monthly, in accordance with the terms and the schedule of payment as set forth in Exhibit B and the terms set forth in Exhibit D attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed the rates or total value of one million five hundred fifty-nine thousand six hundred ninety-two dollars (\$1,559,692), which includes a contingency amount of one hundred forty-five thousand dollars (\$145,000), as stated in Exhibit B and Exhibit D, without a written amendment to the agreement executed by both parties.”

III. Remaining Provisions:

Except as revised by this Amendment No. 2, all of the provisions of the Agreement shall remain in full force and effect.

In Witness Whereof, the parties hereto have caused this Amendment to be executed the day and year first above written.

CITY OF MOORPARK

GRIFFITH COMPANY

Steven Kueny
City Manager

Lucas J. Walker
Vice President/Regional Manager

Attest:

Maureen Benson
City Clerk

Exhibit D

(Attached)

1) CCO Request 3 – Additional 309-ft of Concrete Cap	\$187,035.49
2) CCO Request 5 – Additional Potholing	\$3,399.07
3) CCO Request 6 – Revised Traffic Control Plan and K-rail	\$58,890.57
4) CCO Request 7 – Additional 322-ft of Concrete Cap	<u>\$227,275.12</u>
Rounded Total	\$476,601

Griffith Company

Project Name: LA Avenue Widening

Approval Requested From: Kevin Connors Date: 11/13/2015
354-D S.Fairview Ave.
Goleta, CA 93117

Please find attached the request for additional 309 lineal feet of Steel Reinforced Concrete Cap

Contractor	Description of Change Request	Cost			
Griffith	Install 100 lineal feet of Steel Reinforced Concrete Cap at contract unit price of \$400, Bid Item 11 (Mark up Already Included)	\$ 40,000.00			
Griffith	Removal and Spread Spoils onsite at adjacent Property and additional Supervision for Steel Reinforced Concrete Cap	\$ 21,752.27			
	15% Mark-Up	\$ 3,262.84			
	Subtotal for Griffith (A)	\$ 65,015.11			
SRD	Additional Neoprene for 100 Linear feet 100%-125% of the contract quantity At \$40.82 a linear foot	\$ 4,082.00			
SRD	Additional 209 Linear feet of Steel Reinforced Concrete Cap after 125% At \$514.65 linear foot	\$ 107,561.85			
Caseland Surveying	2 Man crew for Construction Staking for the new Concrete Cap Stations	\$ 2,350.00			
	10% Mark-Up for First \$5000	\$ 500.00			
	5% Mark-Up for Remaining after \$5000	\$ 5,674.69			
	Subtotal for Subcontractors (B)	\$ 120,168.54			
	Subtotal (A) + (B)	\$ 185,183.65			
	Bond Cost 1.00% (C)	\$ 1,851.84			
	Total Change Order Request Amount (A)+(B)+ (C)	\$ 187,035.49			
<p>Schedule Impact:</p> <p>The Contract Completion Date Shall Be:</p> <p><input checked="" type="checkbox"/> Increase <u>13</u> Days</p> <p><input type="checkbox"/> Decrease _____ Days</p> <p><input type="checkbox"/> Not affected by this change</p> <p><input type="checkbox"/> This change may affect the Contract Completion date but the total impact cannot be determined at this time. Additional information will be provided as soon as it is available.</p> <p><input type="checkbox"/> Other _____</p>					
<p>Agreed and Accepted</p> <p>Upon signature by Owner, this document will serve as written authorization to proceed with the above work at the amounts shown. A Contract Change Order shall be prepared to finalize this change upon approval.</p> <table style="width: 100%;"> <tr> <td style="width: 33%;"> <p>By Owner:</p> <p>City Of Moorpark 799 Moorpark Ave. Moorpark, CA 93021</p> <p>By: <u>AL GALI</u></p> <p>Date: _____</p> </td> <td style="width: 33%;"> <p>By Construction Manager:</p> <p>Filppin Engineering 354-D S.Fairview Ave. Goleta, CA 93117</p> <p>By: <u>KEVIN CONNORS</u></p> <p>Date: _____</p> </td> <td style="width: 33%;"> <p>By Contractor:</p> <p>Griffith Company 12200 Bloomfield Ave Santa Fe Springs, CA 90670</p> <p>By: <u>HENRY HERNANDEZ</u></p> <p>Date: <u>11/13/2015</u></p> </td> </tr> </table>			<p>By Owner:</p> <p>City Of Moorpark 799 Moorpark Ave. Moorpark, CA 93021</p> <p>By: <u>AL GALI</u></p> <p>Date: _____</p>	<p>By Construction Manager:</p> <p>Filppin Engineering 354-D S.Fairview Ave. Goleta, CA 93117</p> <p>By: <u>KEVIN CONNORS</u></p> <p>Date: _____</p>	<p>By Contractor:</p> <p>Griffith Company 12200 Bloomfield Ave Santa Fe Springs, CA 90670</p> <p>By: <u>HENRY HERNANDEZ</u></p> <p>Date: <u>11/13/2015</u></p>
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- Qualifications:**
- *Based on Working 7am- 4pm, M-F
 - *Based on performing work behind full shoulder closure per phase 1 of the approved Traffic Control Plan
 - *Based on performing work in conjunction with contract with base contract work
 - *Based on spreading and leaving spoils on site

Griffith Company

Change Order Request

Project Name: LA Avenue Widening Change Order No. 5
 Approval Requested From: City Of Moorpark Date: 2/19/2016
799 Moorpark Ave
Moorpark, CA 93021

Please find attached the change order request for 1st potholing that was

Description	Description of Change Request	Cost			
SRD	Investigative Potholing to verify existing depth of Callaguas pipe and size of pipe. This information was crucial in the design of the Concrete Cap. The depth of the existing pipe determine the Rebar to be place in the concrete cap.	\$ 2,926.45			
	15% Mark-Up	\$ 438.97			
	Subtotal for Griffith (A)	\$ 3,365.42			
	Bond Cost 1.00%(E)	\$ 33.65			
	Total Change Order Request Amount (A)+(B)+(C)+(D)+(E)	\$ 3,399.07			
<p>Schedule Impact:</p> <p>The Contract Completion Date Shall Be:</p> <p>Increase _____ Days</p> <p>Decrease _____ Days</p> <p><input checked="" type="checkbox"/> Not affected by this change</p> <p><input type="checkbox"/> This change may affect the Contract Completion date but the total impact cannot be determined at this time. Additional information will be provided as soon as it is available.</p> <p><input type="checkbox"/> Other _____</p>					
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Qualifications:

Griffith Company

Change Order Request

Project Name: LA Avenue Widening Change Order No. 7
 Approval Requested From: Kevin Connors Date: 5/25/2016
354-D S.Fairview Ave.
Goleta, CA 93117

Please find attached the change order request for additional 322 lineal feet of Steel Reinforced Concrete Cap

Contractor	Description of Change Request	Cost			
Griffith	Additional Supervision for Steel Reinforced Concrete Cap and out of Sequence work	\$ 26,683.13			
	15% Mark-Up	\$ 4,002.47			
	Subtotal for Griffith (A)	\$ 30,685.60			
SRD	Additional 323 Linear feet of Steel Reinforced Concrete Cap after 709 ft of contracted	\$ 182,282.64			
Caseland Surveying	2 Man crew for Construction Staking for the new Concrete Cap Stations	\$ 2,350.00			
	10% Mark-Up for First \$5000	\$ 500.00			
	5% Mark-Up for Remaining after \$5000	\$ 9,206.63			
	Subtotal for Subcontractors (B)	\$ 194,339.27			
	Subtotal (A) + (B)	\$ 225,024.87			
	Bond Cost 1.00% (C)	\$ 2,250.25			
	Total Change Order Request Amount (A)+(B)+ (C)	\$ 227,275.12			
<p>Schedule Impact:</p> <p>The Contract Completion Date Shall Be:</p> <p><input checked="" type="checkbox"/> Increase <u>20</u> Days</p> <p><input type="checkbox"/> Decrease _____ Days</p> <p><input type="checkbox"/> Not affected by this change</p> <p>This change may affect the Contract Completion date but the total impact cannot be determined at this time. Additional information will be provided as soon as it is available.</p> <p>Other _____</p>					
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Qualifications:

- *Based on Working 7am- 4pm, M-F
- *Based on performing work behind K-Rail per Caltrans Inspector
- *Time to be extended if we cannot receive the Neoprene as it is a specialty item

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2015/16 BUDGET TO APPROPRIATE \$540,601 FROM LOS ANGELES AVENUE AREA OF CONTRIBUTION FUND (2501), AND AUTHORIZE A BUDGET LINE ITEM TRANSFER OF \$21,000 FROM DESIGN/ENGINEERING (9601) TO CONSTRUCTION OF STREETS (9640) FOR ADDITIONAL CONSTRUCTION SERVICES FOR THE STATE HIGHWAY 118 (LOS ANGELES AVENUE) WIDENING FROM MAUREEN LANE TO LETA YANCY ROAD (PROJECT 8058)

WHEREAS, on June 17, 2015, the City Council adopted the Operating and Capital Improvements Projects budget for Fiscal Year 2015/16 by Resolution No. 2015-3408 and the adopted budget includes the State Highway 118 (Los Angeles Avenue) Widening from Maureen Lane to Leta Yancy Road Capital Improvement Project 8058 with an estimated carryover appropriation of \$607,130. The resolution authorized the City Manager to amend the Capital Improvement Budget for FY 2015/16 after the final accounting of FY 2014/15 project costs. Finance staff has completed the final project accounting and determined that the continuing appropriation for the project is \$1,219,275; and

WHEREAS, on November 4, 2015, the City Council adopted a budget adjustment increase of \$50,000 from Los Angeles Avenue Area of Contribution Fund (2501) by Resolution No. 2015-3453 and the current appropriation for the project is \$1,269,275; and

WHEREAS, a staff report was presented to the City Council proposing a budget line item transfer of \$21,000 from Design/Engineering to Construction of Streets; and

WHEREAS, a staff report also presented to the City Council a request for a budget adjustment increase of \$540,601 from Fund (2501); and

WHEREAS, Exhibit "A", attached hereto and made a part hereof, describes said budget amendment and its resultant impact to the budget line items.

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

SECTION 1. A budget line item transfer of \$21,000 from Design/Engineering (Expenditure Account 9601) to Construction of Streets (Expenditure Account 9640) as more particularly described in Exhibit "A", is hereby approved.

SECTION 2. That a budget amendment in the aggregate increase of \$540,601 as more particularly described in Exhibit "A", is hereby approved.

SECTION 3. 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 15th day of June, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Attachment: Exhibit 'A': Appropriation and Budget Detail

EXHIBIT "A"

**BUDGET AMENDMENT FOR
LA AOC FUND (2501)
TO APPROPRIATE FUNDING FOR CONSTRUCTION OF
LOS ANGELES AVENUE WIDENING FROM MAUREEN LANE TO
LETA YANCY ROAD PROJECT 8058
FY 2015-2016**

FUND ALLOCATION FROM:

Fund	Account Number	Amount
LA AOC	2501-5500	\$ 540,601
Total		\$ 540,601

DISTRIBUTION OF APPROPRIATION TO EXPENSE ACCOUNTS:

Account Number	Current Budget	Revision	Amended Budget
2501.8310.8058.9601	\$ 21,000	\$ (21,000)	\$ 0
2501.8310.8058.9640	\$ 1,084,168	\$ 476,601	\$ 1,560,769
2501.8310.8058.9650	\$ 164,107	\$ 85,000	\$ 249,107
Total	\$ 1,269,275	\$ 540,601	\$ 1,809,876

Finance Approval: 