

REPORT TO CITY COUNCIL

DATE: NOVEMBER 10, 2010

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER

SUBJECT: REQUEST TO APPROVE A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., RELATING TO THE COMPLETION OF THE PROJECT REPORT AND ENVIRONMENTAL DOCUMENTS FOR THE U.S. 101/PALO COMADO CANYON ROAD INTERCHANGE PROJECT

At the City Council meeting of June 24, 2009, Kimley-Horn and Associates, Inc., was awarded the consultant services agreement to implement the Project Report and Environmental Documents for the U.S. 101/Palo Comado Canyon Road Interchange Project. The agreement was amended at the City Council meeting on June 23, 2010, which extended the time frame in which the project would be completed. Due to unforeseen circumstances involving adjacent land being purchased by the City and Caltrans staff being forced to take furlough days, the project construction options and review time have been altered and delayed. In addition, staff was recently notified by Caltrans staff that the City would need to complete the actual environmental document based on the technical studies currently being completed by the City's consultants. The environmental document identifies any project impacts and mitigation measures, if necessary. Once the environmental document draft is complete, Caltrans staff will still need to review and accept the document.

The scope of work and financial terms of the agreement are being recommended for amendment so as to allow the City's consultants to complete the required environmental document and the additional public scoping meetings. Caltrans had originally told the City that they would prefer to prepare the environmental document through their internal staff, and thus it was not included in the original scope of work with Kimley-Horn. In addition, the public scoping meetings are not required by CEQA and NEPA but are being done so as to provide transparency and additional opportunities for the public to comment on this project. Due to issues related to the State budget and the resources available through Caltrans, it is requested that the City as the applicant, complete the additional work items related to the environmental document. Without the completion of this additional work, the City would not be able to complete this phase of the project.

The additional items added to the scope of work increase the agreement by \$78,352, which brings the new agreement total required to complete the Project Report and related environmental documents to \$917,167. Measure R funding has been secured to complete this phase of the project and this proposed change has no impact on the City's General Fund.

Staff is very pleased with the work product from Kimley-Horn and Associates, Inc., up to this point and will continue to work towards completion of this phase of the project in order to reach the final planning stage in which plans, specifications, and estimates will be developed, along with all right-of-way certification.

The proposed agreement has been reviewed and approved as to form, by the City Attorney.

RECOMMENDATION

Staff recommends the City Council approve the second amendment of the consultant service agreement with Kimley-Horn and Associates, Inc., for the implementation of the Project Report and Environmental Documents for the U.S. 101/Palo Comado Canyon Road Interchange Project, amending the scope of work and financial terms.

Attachment: Kimley-Horn and Associates, Inc., Second Amendment to Agreement



Kimley-Horn
and Associates, Inc.

■
11060 White Rock Road
Suite 150
Rancho Cordova, California
95670-6061

October 18, 2010

Nathan Hamburger
Assistant City Manager
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Palo Comado Canyon Road IC – PA&ED
Amendment Request #1

Dear Mr. Hamburger,

As we have discussed, Caltrans has indicated that they now require the City to complete the appropriate environmental documentation to meet both CEQA and NEPA consistent with the Cooperative Agreement dated November 17, 2009.

Caltrans originally indicated that they were interested in completing the environmental document based upon the technical studies provided by the City. This approach was expressed and confirmed by Caltrans during the preparation of the scope of services for this contract and reconfirmed at the PDT Kickoff meeting held on 12/2/2009.

Although Caltrans indicated this desire, they now have realized that they are not resourced to complete this work and have indicated that they want the City to provide these services as outlined in the Cooperative Agreement.

Since our assumptions were that we would prepare the technical studies in support of Caltrans writing the Environmental Document, we need to amend our scope of services to provide these services to the City.

Additionally, we hoped that Caltrans would agree that a Scoping Meeting would not be required for this project. Caltrans expressed that they felt that it was important to provide the public with an opportunity to comment on the project due to the potential that there may be controversy related to the improvements. The City agreed to support Caltrans' desire to hold a scoping meeting.



Kimley-Horn
and Associates, Inc.

The following supplemental scope of work is required to address these changes required to complete the PA&ED phase of the project.

- Preparation of the environmental documentation to meet CEQA and NEPA requirements. GPA environmental will provide these services based on the understanding that the appropriate level of documentation is an IS/EA supported by the existing technical studies identified in the current scope of work for the project (see GPA scope and fee attached).
- Support in preparation and participation in the Scoping Meeting held at the City on 10/14/10. This included coordination and preparation of newspaper ads, post card mailers, fact sheet handouts, PowerPoint presentation, and preparation of a Scoping Summary Report.

The cost to complete the supplemental scope of work items is summarized as follows:

IS/EA preparation	\$59,345
Scoping Meeting	\$19,007

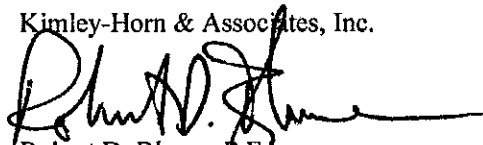
The total fee to complete the identified scope items can be completed for a not to exceed cost of \$78,352 as summarized in the attached cost proposal.

We appreciate your consideration of this amendment request. These items are scope elements that were identified by Caltrans in the Cooperative Agreement, but anticipated that Caltrans would complete in our original scope of work. These items are now needed based on recent direction provided by Caltrans.

Please let us know if you have any questions or need any additional information.

Sincerely,

Kimley-Horn & Associates, Inc.



Robert D. Blume, P.E.
Project Manager

COST PROPOSAL
CITY OF AGOURA HILLS
U.S. 101 Freeway and Palo Camado Canyon Road Bridge (at Chesboro Road) Project Report and Environmental Review Document

10/18/2010	Kimley-Horn and Associates, Inc.										GPA Environmental		KHA Team				
	Project Principal	Project Manager	Sr. Design	Designer	Env. PS	CADD	Admin.	Total	Project Director	Project Manager	Assoc. Planner	Env. Outreach	GIS/Mapping	Biologist	Assoc.	Total Hours	Total Fee
Task 2 - Environmental Services	250	0	0	0	0	0	0	0	159	114	330	85	85	5	5	573	57,345
Administrative Draft IS/EIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Draft IS/EIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Final IS/EIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Outreach	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Task 5 - Project Management	0	48	8	8	16	12	12	96	0	0	0	0	0	0	0	96	17,180
Public Scoping Meeting	0	48	8	8	16	12	12	96	0	0	0	0	0	0	0	96	17,180
Total Labor	0	48	8	8	16	12	12	96	20	114	330	76	28	5	5	573	57,345

Expenses	Allocation (2%)	Total
Mileage	\$ 344	\$ 344
Printing & Tolls	\$ -	\$ -
Printing of IS/EIA	\$ -	\$ -
Ambient Air Quality (Sub for Air Quality Analysis)	\$ -	\$ -
Coopstone (Sub for SSR/Peaks)	\$ -	\$ -
Subtotal Expenses	\$ 1,484	\$ 1,484
Subtotal Expenses	\$ 1,827	\$ 1,827
Total Kimley-Horn and Associates, Inc.	\$ 19,007	\$ 19,007
Total GPA Environmental	\$ 559,345	\$ 559,345
Total Expenses	\$ 3,827	\$ 3,827
TOTAL (NTE)	\$ 78,352	\$ 78,352





October 18, 2010

Robert Blume, PE
Kimley-Horn and Associates

Subject: U.S. 101 Freeway and Palo Comado Canyon Road Bridge (At Chesebro Road)

Dear Robert:

Galvin Preservation Associates Inc. (GPA) has reviewed the recent request to provide the environmental documentation to meet CEQA and NEPA requirements. GPA is responding with a detailed a scope and cost to prepare the IS/EA that is anticipated as the appropriate level of environmental documentation. The technical studies are already included in our scope and fee for the project. The attached scope and fee estimate are provided to address the supplemental scope now requested by Caltrans. GPA will give KIMLEY-HORN AND ASSOCIATES our complete commitment to conduct the necessary studies and reports in the most professional, efficient, responsive, and financially accountable way possible.

On behalf of GPA, we appreciate the opportunity to submit this supplemental project scope and cost to you. We are confident that our familiarity with working for local governments, Caltrans and with CEQA/NEPA, Section 106, regulatory permitting and up to date survey methodology will enable us to provide you with the quality product that is required for this project. GPA is a DBE and WBE Certified firm; our certifications are available upon request.

We appreciate your consideration of GPA, and look forward to working further with you during the completion of the environmental process. All the information contained in this scope and cost is truthful and accurate to the best of my knowledge. Please feel free to contact me anytime with questions regarding this scope at (310) 792-2690, Fax (310) 792-2696 or by email at richard@galvinpreservation.com.

Sincerely,
Galvin Preservation Associates Inc.

A handwritten signature in black ink, appearing to read 'Richard Galvin', is written over a horizontal line.

Richard Galvin, Vice President

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SCOPE OF WORK

I. Project Understanding

It is GPA's understanding, Caltrans will not be completing the CEQA/NEPA environmental document. GPA will be completing the IS/EA and technical documentation to support the IS/EA. Keeping the IS/EA and technical studies within the City's control is critical to the schedule. All of the technical studies identified in the PEAR are included in our original scope and cost or as provided below.

II. Project Scope – The following scope is provided to address the need for the City to complete the CEQA and NEPA documentation for the project. This supplemental scope and fee are in addition to the approved scope of environmental work included in the existing contract with KHA.

Task 4: Initial Studies/Environmental Assessment

Administrative Draft IS/EA

A Draft Initial Study/Environmental Assessment (IS/EA) will be prepared in conformance with CEQA and NEPA Caltrans Standard Reference (SER) Guidelines, and in the accepted Caltrans format. The Administrative Draft IS/EA will contain all required components of an IS/EA and will address on-site and off-site impacts of the project and incorporate all technical analysis. The IS/EA will be delivered to the City staff for internal review and comment prior to release of the Draft IS/EA to Caltrans for review. The major sections and areas of concern to be addressed are outlined below.

Introduction

This brief introductory section will discuss the legal authority for preparing the IS/EA under CEQA and NEPA, and the City's environmental review requirements. This section will also include a brief overview of the project history and local context, and will describe the public participation process and scoping process as appropriate.

Purpose and Need

GPA will refine the purpose and need for the proposed project. This section will identify the deficiencies of the traffic circulation and traffic safety and outline objectives of the proposed streetscape enhancement project.

Project Description/Alternatives Analysis

The project description will describe all aspects of project design, construction, and operation as required by CEQA and NEPA. The project description will include text, graphics, and tables, as appropriate. GPA will also write the purpose and need for the proposed project.

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The alternatives analysis will describe the no build alternative and the build alternative. These alternatives will be analyzed equally throughout impact analysis. This section will also include alternatives considered but rejected to demonstrate how we logically developed the alternatives that the Project Development Team will move forward.

Environmental Analysis

This is the main chapter of the IS/EA, and will include separate sections for each environmental topic area, which incorporate information from the technical studies listed above. This chapter will be formatted so that the impact statements and any corresponding mitigation measures will stand out from the text for clarity and easy reference. Findings will be made as to the level of significance of each impact before and after any potential mitigation.

Deliverables: Five (5) electronic copies in Microsoft Word format of Administrative Draft IS/EA for review by the City.

Task 5 Draft IS/EA

After the City has reviewed the Administrative Draft IS/EA, GPA will prepare the Draft IS/EA and coordinate with the City to transmit it to Caltrans for review. GPA will coordinate with Caltrans staff to ensure that the sections are formatted for ease of use and to meet the criteria for the new IS/EA templates. Upon receipt of Caltrans comments, GPA will revise the Draft IS/EA, and re-submit it to Caltrans for a second review. Assuming no further comments from Caltrans, GPA will coordinate with the City to circulate the Draft IS/EA to the public for the 30-day public review period. GPA staff would also prepare a Notice of Availability and Notice of Completion.

Deliverables: Draft IS/EA: Twenty (20) electronic copies in Adobe Acrobat format and 26 hard copies of the Draft IS/EA (five [5] electronic copies and five [5] hard copies for the City, one [1] hard copy for the Los Angeles County Clerk-Recorder, 15 electronic and 15 hard copies for the State Clearinghouse, and five [5] hard copies to Caltrans).

Task 6 Final IS/EA

At the conclusion of the 30-day public review period, GPA will review the comment letters received on the Draft IS/EA and coordinate with City staff to discuss the responses. Assuming a maximum of 20 comment letters from individuals and agencies, GPA will then prepare draft responses to comments.

Based on the comments received from staff, final revisions to the responses to comments will be made and GPA will produce the Final IS/EA. After production of the Final IS/EA, GPA will forward the Final IS/EA to Caltrans for review. Any additional comments from Caltrans will be incorporated; GPA will coordinate with Caltrans to obtain a Finding of No Significant Impact (FONSI) for the project. Additionally, upon completion of the Final IS/EA, GPA will

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coordinate with the City to obtain a NOD for the project from the City Council. GPA will also prepare the required Cumulative Impacts Analysis and growth inducement sections of the IS/EA.

Deliverables: Ten (10) hard copies and three (3) electronic copies in Adobe Acrobat format of the Final IS/EA, and one (1) photo-ready master each the Draft IS/EA and Final IS/EA (five [5] hard copies and one [1] electronic copy for the City, one [1] hard copy and one electronic copy for the State Clearinghouse, one hard copy and one [1] electronic copy for the Los Angeles County Clerk-Recorder, and three [3] hard copies to Caltrans.) Obtain FONSI from Caltrans and a NOD from the City Council.

Task 7 Public Outreach

GPA will attend and facilitate the public hearing for the environmental document stage of the project. Meetings will include one Planning Commission meeting and one City Council meeting. Caltrans may also require a separate public hearing in a location near the project site. If this is the case, GPA will facilitate and prepare all of the meeting materials. Meeting materials will include:

- Court Reporter
- Agenda
- Frequently Asked Questions
- Fact Sheet
- Sign in Sheets
- Meeting location
- Meeting Materials
- Post Card
- Mailing List

GPA will also be available to attend stakeholder meetings that may arise.

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GPA Cost Estimate
U.S. 101/Palo Comado Canyon Road Interchange Project
CEQA/NEPA IS/EA & Public Outreach

Task #	Task Description	Project Director \$150	Project Manager \$120	Assoc. Env. Planner \$95	Principal Arch. Hist. \$150	Outreach Specialist \$85	Historian II \$75	GIS/ Mapping \$85	Biologist \$95	Other Direct Cost	Totals
4	Administrative Draft IS/EA										
	hours	6.0	58.0	168.0	0.0	0.0	0.0	18.0	0.0		250.0
	Subtotal Task I	\$900	\$6,960	\$15,960	\$0	\$0	\$0	\$1,530	\$0	\$0	\$25,350
5	Draft IS/EA										
	hours	6.0	16.0	60.0	0.0	0.0	0.0	6.0	5.0		93.0
	Subtotal Task II	\$900	\$1,920	\$5,700	\$0	\$0	\$0	\$510	\$475	\$0	\$9,505
6	Final IS/EA										
	hours	6.0	30.0	78.0	0.0	0.0	0.0	4.0	0.0		118.0
	Subtotal Task III	\$900	\$3,600	\$7,410	\$0	\$0	\$0	\$340	\$0	\$0	\$12,250
7	Public Outreach										
	hours	2.0	10.0	24.0	0.0	76.0	0.0	0.0	0.0		112.0
	Subtotal Task IV	\$300	\$1,200	\$2,280	\$0	\$6,460	\$0	\$0	\$0	\$0	\$10,240
	hours	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
	Subtotal Task V	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	hours	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
	Subtotal Task VI	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	hours	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
	Subtotal Task VII	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	hours	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
	Subtotal Task VIII	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Project Hour Totals	20.0	114.0	330.0	0.0	76.0	0.0	28.0	5.0		573.0
	Personnel Cost Totals	\$3,000	\$13,680	\$31,350	\$0	\$6,460	\$0	\$2,380	\$475	\$0	\$57,345

\$57,345

Outside Direct Costs

mileage	\$ -
parking & tolls	\$ -
auto/ gas	\$ -
Printing of IS/EA	\$ 2,000
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -

Total Direct Expenses \$ 2,000.00

Mileage Calculator

# miles roundtrip GPA to project site	28.5
total number of trips	0
Total number of miles	0
multiplied by \$0.50 / mile	0.5
Total Mileage Calculation	\$0

Total Project Cost **\$59,345****Optional Tasks:**

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