

REPORT TO CITY COUNCIL

DATE: MAY 11, 2011

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: RAMIRO ADEVA, CITY ENGINEER

SUBJECT: APPROVAL OF RESOLUTION NO. 11-1626; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO DISTRICT AGREEMENT NO. 07-4711 WITH THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, FOR U.S. 101/KANAN ROAD INTERCHANGE PROJECT

The City completed construction of the improvements to the U.S. 101/Kanan Road Interchange as per the plans approved by Caltrans. A walkthrough inspection was done by multiple divisions within Caltrans as part of the project close-out procedures. During this process, staff was informed by the Traffic Safety Unit that, although the guardrails on the loop on-ramps were constructed per approved plans and per the safety standards in place at the time of design, those safety standards had since changed due to multiple accidents that occurred with speeding vehicles entering loop ramps at different locations within the State. Although the standards changed after the actual construction was complete, agreements with Caltrans require construction improvements to meet the State's most current Standard Specifications at the time of construction. In this regard, the improvements must be completed in order for this project to be properly closed out. The City Council authorized staff to seek bids at the April 13, 2011, meeting in order to complete the guardrail improvements.

Prior to the start of this project, the City entered into an agreement with the State of California, Department of Transportation (Caltrans), in order to complete the interchange improvements, which was originally set to expire on June 30, 2007. Due to the 180 (working) day maintenance period for the landscaping in the project, an amendment was approved by Council on May 9, 2007, extending the expiration date of the agreement to December 21, 2008. In order to complete the guardrail upgrade project, Caltrans is requesting an additional amendment to extend the cooperative agreement.

The provisions approved in the original agreement will remain in effect, with the only change being in the termination date, which will become December 31, 2011. Following the approval by the City Council, this item will be returned to the Caltrans District No. 7 Director for final approval.

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

RECOMMENDATION

Staff respectfully recommends the City Council:

- 1) Approve Resolution No. 11-1626; authorizing the City Manager to execute Amendment No. 2 to District Agreement No. 07-4711 with the State of California, Department of Transportation; and
- 2) Direct the City Clerk to attest to the signatures and mail four originals of Amendment No. 2 and five certified copies of Resolution No. 07-1626 to the State of California, Department of Transportation.

Attachments: Resolution No. 11-1626 and Amendment No. 2 of District Agreement No. 07-4711

RESOLUTION NO. 11-1626

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO DISTRICT AGREEMENT NO. 07-4711, WITH THE STATE OF CALIFORNIA FOR THE U.S 101/KANAN ROAD INTERCHANGE PROJECT

WHEREAS, the City of Agoura Hills has received the authorization from the State of California to complete improvements to the State highway consisting of new ramp configurations, safety improvements and other such construction over and adjacent to State Route 101 at Kanan Road; the U.S. 101/Kanan Road Interchange Project, referred herein as “Project”; and

WHEREAS, the State of California has prepared Amendment No. 2 to District Agreement No. 07-4711, that defines the terms and conditions which were previously agreed to by the City of Agoura Hills and the State of California, regarding the Project and how is to be constructed, financed, and maintained; and

WHEREAS, the City of Agoura Hills desires to amend the contract documents related to the construction of said improvements for the Project in order to extend the contract through December 31, 2011, in order to properly complete the scope of work as outlined in the approved plans; and

WHEREAS, the City Council of the City of Agoura Hills wishes to delegate authorization to execute the signing of Amendment No. 2 to District Agreement No. 07-4711 to the City Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Agoura Hills does hereby authorize the City Manager to execute Amendment No. 2 to District Agreement No. 07-4711, with the State of California for the U.S. 101/Kanan Road Interchange Project.

PASSED, APPROVED AND ADOPTED this 11th day of May, 2011 by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

07-LA-101-KP 55.4/56.8
(PM 34.4/35.3)
Kanan Road Interchange
In the City of Agoura Hills
07274-1965U1

District Agreement No. 07-4711A-2

AMENDMENT NO. 2 TO AGREEMENT

This AMENDMENT NO. 2 TO AGREEMENT, entered into effective on December 30, 2008, is between the STATE of CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and

CITY OF AGOURA HILLS, a body politic and a municipal corporation of the State of California, referred to herein as "CITY".

RECITALS

1. The parties hereto entered into an Agreement No. 07-4711 (Document No. 016038) on May 2, 2005, said Agreement defining the terms and conditions of a project to replace the existing diamond configuration with a partial cloverleaf configuration for the southbound on and off-ramps and northbound on and off-ramps on State Route 101 at Kanan Road Interchange, referred to herein as "PROJECT".
2. The parties hereto have also entered into Amendment No. 1 on June 5, 2007, to extend the termination date of the said Agreement.
3. It has been determined that construction of PROJECT will not be completed prior to the termination date of said Amendment No. 1 to Agreement.

IT IS THEREFORE MUTUALLY AGREED:

1. The termination date specified in this Section of Amendment No. 1 to Agreement shall now be December 31, 2020 instead of December 31, 2008.
2. All other terms and conditions of said Agreement No. 07-4711 and Amendment No. 1 to Agreement No. 07-4711 shall remain in full force and effect.
3. This Amendment No. 2 to Agreement is hereby deemed to be a part of Document No. 016038.

District Agreement No. 07-4711A-2

STATE OF CALIFORNIA
Department of Transportation

CINDY MCKIM
Director of Transportation

By: _____
Michael Miles
District Director

Certified as to Funds:

By: _____
District Budget Manager

CITY OF AGOURA HILLS

By: _____
City Manager

Attest: _____
City Clerk

Approved as to Form:

By: _____
City Attorney

Certified as to Funds:

By: _____
City Accountant