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**Title:** I-405 IMPROVEMENT PROJECT - AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION SUPPORT SERVICES

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Report, 2. 1. Amendment No. 3 to PSA with Interwest, 3. 2. PSA and past amendments with Interwest, 4. 3. Original Cooperative Agreement with OCTA

Date	Ver.	Action By	Action	Result
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**TITLE:**

**I-405 IMPROVEMENT PROJECT - AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION SUPPORT SERVICES**

**DEPARTMENT:** PUBLIC WORKS DEPARTMENT/ TRANSPORTATION SERVICES DIVISION

**PRESENTED BY:** RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

**CONTACT INFORMATION:** JENNIFER ROSALES, TRANSPORTATION SERVICES MANAGER, (714) 754-5343

**RECOMMENDATION:**

Staff recommends the City Council:

1. Approve Amendment No. 3 to Cooperative Agreement No. C-5-3612 between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) to increase OCTA's maximum obligation to the City by \$50,000 for a total not-to-exceed amount of \$644,594.
2. Authorize the City Manager and City Clerk to execute the amendment, in a form approved by the City Attorney, and future amendments to the agreement within City Council authorized limits.
3. Approve revenue and expense appropriations in the amount of \$50,000 respectively, for the I-405 Improvement Project, per Amendment No. 3 to the Cooperative Agreement C-5-3612 between the City of Costa Mesa and OCTA.
4. Approve proposed Amendment No. 3 (Attachment 1) to the Professional Services Agreement (PSA) with Interwest Consulting Group Inc., 15140 Transistor Lane, Huntington Beach, CA 92649,

increasing the maximum compensation by \$50,000 for construction support services, on an as-needed basis, for the I-405 Improvement Project, for a total not-to-exceed amount of \$400,000.

5. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the Professional Services Agreement.

### **BACKGROUND:**

The Orange County Transportation Authority (OCTA), in cooperation with the State of California Department of Transportation (Caltrans), is implementing improvements to the I-405 Freeway between the SR-73 and I-605 Freeways. The project includes the addition of one (1) mixed-flow lane and one (1) express lane and the conversion of the existing High Occupancy Vehicle (HOV) lane to an express lane.

In the City of Costa Mesa, major elements of the project include the direct connector ramps between the SR-73 and I-405 Freeways; reconstruction of the Fairview Bridge; realignment of the southbound I-405 onramp from Harbor Boulevard; and sound walls. The significant component of the project in Costa Mesa is the re-design and reconstruction of the Fairview Road/I-405 Interchange and approaches to Fairview Road. There will be multiple traffic detour plans for various phases of the project.

Pursuant to Cooperative Agreement No. C-5-3612 between the City and OCTA, as amended, OCTA will implement the project and ensure it meets State and City requirements and will reimburse the City for all services and costs incurred to complete the project, up to \$594,400. The Original Cooperative Agreement is provided in Attachment 3. The reimbursement to the City includes costs for review and approval of plans, specifications, reports, and oversight of construction inspection services for City facilities, review and acceptance of the transportation management plan, traffic engineering, and police services during design and construction of the project. If the City were to incur additional costs, subsequent amendments could be executed between OCTA and the City to address them. The City of Costa Mesa agreed to provide staff support and retain consultant services as needed to review the project plans and assist during the construction phase.

### **ANALYSIS:**

The construction duration of the I-405 Improvement Project has extended longer than anticipated; therefore, an amendment to the Cooperative Agreement No. C-5-3612 between the City and OCTA is needed for additional costs that would be incurred by the City. OCTA approved an additional \$50,000 to Cooperative Agreement C-5-3612 between the City of Costa Mesa and OCTA to increase the reimbursement to the City by \$50,000 for staff and consultant support services for a total up to \$644,594. OCTA is processing the amendment to increase OCTA's maximum obligation to the City by \$50,000. Staff requests approval of Amendment No. 3 to Cooperative Agreement No. C-5-3612 and approval of a budget adjustment recognizing the additional \$50,000 revenue and appropriating these funds to the I-405 Improvement Project.

Interwest Consulting Group, Inc. is currently providing construction support services for the I-405 Improvement Project. Staff anticipates expending the previously encumbered amounts by September 2022. Staff requests approval of Amendment No. 3 to the Professional Services Agreement with Interwest increasing the maximum compensation by \$50,000 for the I-405 project.

### **ALTERNATIVES:**

One alternative would be to not approve and recognize the revenue from Amendment No. 3. However, this would result in staff's inability to invoice and receive funds from OCTA for reimbursement of staff time and consultant services for work associated with the I-405 Improvement Project.

Another alternative would be to not approve the proposed amendment to the Interwest Professional Services Agreement. However, this would result in diverting City staff resources from other critical City projects to the I-405 project. Staff does not recommend this alternative.

### **FISCAL REVIEW:**

Upon execution of Amendment No. 3 to the Cooperative Agreement C-5-3612 between the City of Costa Mesa and OCTA, revenue and expense appropriations in the amount of \$50,000 respectively will be added for this project. .

### **LEGAL REVIEW:**

The City Attorney's Office has reviewed this report, prepared the proposed amendment and approves them as to form.

### **CITY COUNCIL GOALS AND PRIORITIES:**

This project supports the following City Council goals:

- Achieve long-term fiscal sustainability
- Strengthen the public's safety and improve the quality of life

### **CONCLUSION:**

Staff recommends the City Council:

1. Approve Amendment No. 3 to Cooperative Agreement No. C-5-3612 between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) to increase OCTA's maximum obligation to the City by \$50,000 for a total not-to-exceed amount of \$644,594.
2. Authorize the City Manager and City Clerk to execute the amendment, in a form approved by the City Attorney, and future amendments to the agreement within City Council authorized limits.
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4. Approve proposed Amendment No. 3 (Attachment 1) to the Professional Services Agreement (PSA) with Interwest Consulting Group Inc., 15140 Transistor Lane, Huntington Beach, CA 92649, increasing the maximum compensation by \$50,000 for construction support services, on an as-needed basis, for the I-405 Improvement Project, for a total not-to-exceed amount of \$400,000.
5. Authorize the City Manager and the City Clerk to execute the amendment and future

authorized amendments to the agreement.