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**Title:** ADAMS AVENUE AND PINECREEK DRIVE INTERSECTION PROJECT, FEDERAL PROJECT NO. CML-5312(104), CITY PROJECT NO. 23-11

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Date	Ver.	Action By	Action	Result
2/6/2024	1	REGULAR CITY COUNCIL AND HOUSING AUTHORITY*		

**TITLE:**

**ADAMS AVENUE AND PINECREEK DRIVE INTERSECTION PROJECT, FEDERAL PROJECT NO. CML-5312(104), CITY PROJECT NO. 23-11**

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

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

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

**RECOMMENDATION:**

Staff recommends the City Council:

1. Adopt plans, specifications, and working details for the Adams Avenue and Pinecreek Drive Intersection Project, Federal Project No. CML-5312(104), City Project No. 23-11, and find the project categorically exempt from CEQA.
2. Approve a Public Works Agreement (PWA) in the amount of \$2,877,242, and a ten percent (10%) contingency in the amount of \$287,724 to Gentry General Engineering, Inc., 320 West Tropica Rancho Road, Colton, California 92324.
3. Approve a Professional Services Agreement (PSA) in the amount of \$209,762 and a ten percent (10%) contingency in the amount of \$20,976, to Interwest Consulting Group, Inc., 444 North Cleveland Avenue, Loveland, Colorado 80537, for construction management services for the Adams Avenue and Pinecreek Drive Intersection Project.
4. Approve a budget transfer, authorizing the use of the Measure "M2" Fairshare Fund from the

Citywide Street Improvements project budget (400015) in the amount of \$705,500, and appropriation of \$750,000 from the Traffic Impact Fee Fund balance, to the Adams Avenue and Pinecreek Drive Intersection Project.

5. Authorize the City Manager and the City Clerk to execute the PWA and the PSA and any future amendments to the agreement within Council authorized limits.

### **ENVIRONMENTAL DETERMINATION:**

The proposed project is exempt from the California Environmental Quality Act (CEQA). The project involves an organizational or administrative activity of government that will not result in direct or indirect physical change in the environment. The proposed project is categorically exempt under Section 15301 relating to the operation, repair, maintenance, permitting, and/or minor alteration of existing public facilities. A Notice of Exemption was prepared by City Staff and was filed and posted at the Orange County Clerk-Recorder Department on March 4, 2022. The Notice of Exemption was subsequently posted to the Office of Planning and Research on March 22, 2022.

The proposed project is categorically excluded from the National Environmental Policy Act (NEPA). Per the Code of Federal Regulations 23 CFR 771.117(c)(3), the construction of bicycle and pedestrian lanes, paths, and facilities are considered actions that meet the criteria for categorical exclusions from NEPA and are deemed to not have any significant environmental impacts. A Preliminary Environmental Study classifying the project as categorically excluded was submitted to the California Department of Transportation (Caltrans) on December 20, 2021. On December 21, 2021, Caltrans provided concurrence with the NEPA determination of Categorical Exclusion.

### **BACKGROUND:**

The Adams Avenue and Pinecreek Drive Intersection Project, Federal Project No. CML-5312(104), City Project No. 23-11, is a federally funded project that seeks to improve pedestrian and bicyclist accessibility and safety. It provides multi-modal intersection improvements at the intersection of Adams Avenue and Pinecreek Drive that encourage bicycling and improve mobility per the City's approved Active Transportation Plan (ATP).

The multi-modal improvements at the intersection of Adams Avenue and Pinecreek Drive will include the removal of existing right turn slip lanes, slurry seal improvements, new bicycle facilities, bicycle and pedestrian ramps, green bike boxes, new signalized crosswalk, new pavement striping and markings consisting of green thermoplastic conflict zones, and high visibility crosswalks.

The project will relocate the existing bus stop to the far side of the intersection and install new street lighting along the south side of Adams Avenue within the project's limits. In addition, the project includes extensive traffic signal modifications that include new signal poles, relocation of the signal cabinet outside of the sidewalk, Accessible Pedestrian Signals (APS), yellow retroreflective border backplates, Leading Pedestrian Intervals (LPIs), and video detection capable of detecting motorists and bicyclists.

The project is being implemented in partnership with Orange Coast College (OCC). OCC provided a total of \$250,000 in funding towards design and construction phases and granted required property easements to the City for the project. Staff made presentations to OCC Facilities Committee during various stages of design and received support for project implementation. The City's Active

Transportation Committee (ATC) also reviewed the project design plans at various stages and provided their approval for the project. A community outreach meeting was held for the project during the design phase.

The contractor is required to complete all the tasks necessary to perform the scope of work as outlined in the contract documents, plans, and specifications. A copy of specifications and working details are available for review in the Office of the City Clerk.

Staff issued a Request for Proposals (RFP) to select a well-qualified consultant to manage the construction management operations of this project. A copy of the RFP is available for review in the Office of the City Clerk.

## **ANALYSIS:**

### **Project Construction:**

The City Clerk received and opened five (5) bids for this project on December 18, 2023. Gentry General Engineering, Inc. (Gentry), is the apparent low bidder with a base bid proposal of \$2,989,232. The bid abstract for this project is included as Attachment 1.

Staff have elected to authorize the alternative bid items for this project. The apparent low bidder using the base bid with the alternative bid items is also Gentry with a bid proposal of \$2,877,242.

Staff has analyzed the bid proposal submitted by Gentry and found no errors or irregularities. Staff recommends that City Council authorize the use of the alternative bid items and award a construction contract to the apparent lowest bidder, Gentry General Engineering, Inc. The license and references of Gentry have been checked and staff has found them to be in good standing.

Upon City Council authorization to execute the Public Works Agreement (PWA), Gentry will furnish the necessary bonds and insurance, which will be approved as to form by Risk Management. After the award and subsequent execution of the agreement, a "Notice to Proceed" will be issued.

### **Project Construction Management and Inspection Support:**

On July 31, 2023, the City issued a Request for Proposals (RFP) for Construction Management and Inspection Support Services for the Adams Avenue and Pinecreek Drive Intersection Project. Eight (8) consultant proposals were received on August 25, 2023.

Proposals were reviewed for compliance with the City's RFP process, and the proposed consultants were evaluated based on project understanding, depth of experience, technical expertise, and associated evaluation criteria. After careful review of the proposals, staff determined that Interwest Consulting Group, Inc. (Interwest), was well qualified to perform the requested construction management and inspection services for the project. The proposal submitted by Interwest Consulting Group represents a thorough understanding of the project, complies with City requirements, and documents Interwest's technical ability and experience with similar projects. The fees proposed by Interwest were determined to be competitive and commensurate with the requested services. A copy of Interwest's proposal is included as Attachment 2.

Therefore, staff recommends that the City Council authorize the City Manager to execute the

Professional Services Agreement (PSA) to Interwest Consulting Group, Inc., in the amount of \$209,762 for construction management and inspection support services.

**Contingency and Funding:**

Staff requests approval of ten percent (10%) contingency towards construction and construction management services. Staff also request approval of additional funding from the traffic impact fee and Measure M Fairshare accounts for the project.

**ALTERNATIVES:**

The alternative would be to reject all bids, re-advertise, and re-bid the construction project. Staff has determined that re-advertising and re-bidding the project will not result in lower bids and will delay the project and adversely affect the project's federal grant funding. In addition, the alternative to reject all proposals and re-advertise the RFP for construction management services will not result in lower proposals and will only delay the project.

**FISCAL REVIEW:**

The available funding for the construction of the project is \$1,940,280. The additional funding required to execute the contracts is \$1,455,424. Staff is requesting appropriation of \$750,000 from the Traffic Impact Fee fund balance and transfer of \$705,500 of Measure "M2" Fairshare funds from Citywide Street Improvements project.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed this agenda report and approves it as to form and has reviewed and approved the proposed Public Works Agreement and Professional Services Agreement.

**CITY COUNCIL GOALS AND PRIORITIES:**

This item supports the following City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life

**CONCLUSION:**

Staff recommends the City Council:

1. Adopt plans, specifications, and working details for the Adams Avenue and Pinecreek Drive Intersection Project, Federal Project No. CML-5312(104), City Project No. 23-11.
2. Approve a Public Works Agreement (PWA) in the amount of \$2,877,242, and a ten percent (10%) contingency in the amount of \$287,724 to Gentry General Engineering, Inc., 320 West Tropica Rancho Road, Colton, California 92324.
3. Approve a Professional Services Agreement (PSA) in the amount of \$209,761.80 and a ten percent (10%) contingency in the amount of \$20,976, to Interwest Consulting Group, Inc., 444 North Cleveland Avenue, Loveland, Colorado 80537, for construction management services for

the Adams Avenue and Pinecreek Drive Intersection Project.

4. Approve a budget transfer, authorizing the use of the Measure "M2" Fairshare Fund from the Citywide Street Improvements project budget (400015) in the amount of \$705,500, and appropriation of \$750,000 from the Traffic Impact Fee Fund balance, to the Adams Avenue and Pinecreek Drive Intersection Project.
5. Authorize the City Manager and the City Clerk to execute the PWA and the PSA and any future amendments to the agreement within Council authorized limits.