



City of Rialto

Legislation Details (With Text)

File #: 22-804 **Version:** 2 **Name:** Request City Council to (1) Approve a Third Amendment to the Reimbursement Agreement with LHR for in the amount of \$XXXXX; and (2) Authorize the City Manager to Execute all Related Documents.

Type: Agenda Item **Status:** Agenda Ready

File created: 8/29/2022 **In control:** City Council

On agenda: 9/13/2022 **Final action:**

Title: Request City Council to (1) Approve a Third Amendment to the Reimbursement Agreement with Lewis-Hillwood Rialto Company, LLC, in the amount of \$285,072 for the State Route 210 / Alder Avenue Interchange Project; and (2) Authorize the City Manager to Execute all Related Documents. (ACTION)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1 - Third Amendment.pdf

Date	Ver.	Action By	Action	Result
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For City Council Meeting [September 13, 2022]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manger

FROM: Marcus Fuller, Acting City Engineer

Request City Council to (1) Approve a Third Amendment to the Reimbursement Agreement with Lewis-Hillwood Rialto Company, LLC, in the amount of \$285,072 for the State Route 210 / Alder Avenue Interchange Project; and (2) Authorize the City Manager to Execute all Related Documents. (ACTION)

BACKGROUND:

On November 22, 2016, the City Council approved a Reimbursement Agreement in the amount \$248,597 with Lewis Hillwood Rialto Company, LLC (LHR) to engage a traffic-engineering consultant to undertake a Feasibility Study to improve the State Route 210 (SR-210) at Alder Avenue Interchange (the "Interchange").

On February 12, 2019, the City Council approved the First Amendment to the Reimbursement Agreement, increasing the reimbursement amount by \$224,456 to fund the Phase II Scope of Work, which included preparation of a Preliminary Engineering Evaluation Report (PEER) satisfying Caltrans requirements.

On November 10, 2020, the City Council approved a Second Amendment to the Reimbursement Agreement with LHR for Completion of Phase 2 Preliminary Engineering Evaluation Report, to Begin

Phase 3, Plans, Specifications and Estimates in the amount of \$1,192,059.

On June 14, 2022, the City Council approved the final design and authorized bidding. The contract documents, while at nearly 100% completed, remain in review by Caltrans prior to the City being authorized by Caltrans to proceed with construction.

ANALYSIS/DISCUSSION:

The scope of work and budget for the final design phase of this project assumed a reasonable number of meetings and subsequent reviews required by Caltrans in its review of the various plans and studies for modifying the Interchange.

However, in this case Caltrans has required far more than the reasonably expected number of reviews and meetings to obtain their approval of the plans and studies associated with the Interchange.

With additional comments and requirements from Caltrans and the City's interest to quickly move forward, LHR and their consultant have submitted a Third Amendment to the Reimbursement Agreement to accommodate the increased scope of work and costs required to obtain Caltrans approval.

Staff is recommending approval of a Third Amendment to the Reimbursement Agreement between the City and LHR for a total amount of \$285,072. The proposed Third Amendment to the Reimbursement Agreement is included as **Attachment 1**.

ENVIRONMENTAL IMPACT:

Section 21084 of the California Public Resources Code requires that the guidelines for implementation of the California Environmental quality (CEQA) include a list of classes of projects that have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment and are declared categorically exempt from the requirement for the preparation of environmental documents. In accordance with 14 CCR Section 15301 "Existing Facilities", Class 1 projects consist of the repair, maintenance, or minor alteration of existing structures and facilities; therefore, the SR-210/Alder Avenue Interchange Improvement Project, Project No. 200808 is considered categorically exempt from CEQA.

GENERAL PLAN CONSISTENCY:

The Reimbursement Agreement, Amendments to the Reimbursement Agreements, and associated actions are consistent with the following goals and objectives contained in the General Plan:

Goal 3-3: Attract, expand, and retain commercial and industrial businesses to reduce blighted conditions and encourage job growth.

Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.

Policy 3-6.1: Coordinate all development proposals with other affected public entities to ensure the provision of adequate public facilities and infrastructure services.

Goal 3-7: Upgrade public infrastructure as an inducement to promote private investment.

LEGAL REVIEW:

The City Attorney has reviewed and supports the staff report.

FINANCIAL IMPACT:

Operating Budget Impact

No impact.

Capital Improvement Budget Impact

Sufficient funds are budgeted and available in Account No. 301-500-4312-3001.

Licensing

Prior to execution of the Reimbursement Agreement, the vendor engaged by LHR shall submit a business license application and pay a Business License tax at the scheduled rate.

RECOMMENDATION:

Staff recommends that City Council:

- Approve a Third Amendment to the Reimbursement Agreement with Lewis-Hillwood Rialto Company, LLC, in the amount of \$285,072 for the State Route 210 / Alder Avenue Interchange Project; and
- Authorize the City Manager to Execute all Related Documents.