



# NEWPORT BEACH

## City Council Staff Report

March 24, 2026  
Agenda Item No. 4

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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**TITLE:** Amendment No. One to Professional Services Agreement with Moffat & Nichol for Newport Harbor Seawall Replacement/ Rehabilitation (Contract No. 9503-1)

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### **ABSTRACT:**

On February 13, 2024, the City Council approved a professional services agreement (PSA) with Moffatt & Nichol for design services of the Newport Harbor seawall replacement/rehabilitation project for a total not-to-exceed amount of \$448,803. Additional professional engineering services are needed to investigate, design and permit the proposed seawall replacement/rehabilitations.

### **RECOMMENDATIONS:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Approve Amendment No. One to the professional services agreement with Moffatt & Nichol for the Newport Harbor Seawall Replacement/Rehabilitation project for an additional \$339,677 for a total not-to-exceed amount of \$788,480 and authorize the Mayor and City Clerk to execute the agreement.

### **DISCUSSION:**

On February 13, 2024, the City of Newport Beach entered into a PSA with Moffatt & Nichol for design services for the Newport Harbor seawall replacement/rehabilitation project. The scope of work covered by the PSA included investigation, alternatives analysis, and design to replace eight City-owned seawalls. At each of the eight locations, the aging seawalls are showing signs of deterioration and leaking during higher tides causing flooding in adjacent roadways and parkways during high tide events. These seawalls are more than 60 years old and in various states of decay. Seawall #1 (33<sup>rd</sup> Street) is disintegrating and is beyond repair and full replacement is proposed. Seawall #3 (35<sup>th</sup> Street), Seawall #4 (34<sup>th</sup> Street) and Seawall #5 (Marcus Avenue) are repairable, but

require cap repair and sheet pile installation. Patching and repair are proposed on all other seawalls.

After the investigation and alternatives analysis was completed, staff determined the best course of action at Seawall #1 (33<sup>rd</sup> Street) is full seawall replacement. Full seawall replacement requires design services beyond those covered by the PSA.

In addition to the seawalls already included in the scope of work and under design, a sinkhole recently developed behind another City seawall at 41<sup>st</sup> Street. The seawall in question, now referred to as Seawall #9, is adjacent to the intersection of 41<sup>st</sup> Street and River Avenue. Staff determined the most efficient means of addressing Seawall #9 is by including it in the scope of this design project and having it receive a similar scope of investigation and repair as the other seawalls (#1 through #8).

To facilitate the investigation, design and permitting needed, staff requests a contract amendment of \$339,677, increasing the total not-to-exceed amount with Moffatt & Nichol to \$788,480. These funds cover the additional geotechnical and permitting work required for the full replacement of the seawall at 33<sup>rd</sup> Street and the inclusion of the seawall at 41<sup>st</sup> Street in the scope of this project.

#### **FISCAL IMPACT:**

The adopted Capital Improvement Program budget includes sufficient Tidelands Funding for the approval of the proposed amendment. The project, Newport Harbor Seawall Replacement/Rehabilitation (25H08), currently has approximately \$4,500,000 remaining to be used for investigation, design, permitting and construction of Newport Harbor seawalls.

#### **ENVIRONMENTAL REVIEW:**

On February 13, 2024, City Council found this project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

#### **NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

#### **ATTACHMENTS:**

Attachment A – Location Maps

Attachment B – Amendment No. One with Moffatt & Nichol