



CITY OF

NEWPORT BEACH

City Council Staff Report

January 14, 2020
Agenda Item No. 10

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Approval of Amendment No. Four to Professional Services Agreement with Stantec Consulting Services, Inc. (Stantec) for the Arches Diversion Project

ABSTRACT:

In 2016, the City issued a Request of Proposals (RFP) 16-59 for Professional Engineering Services for the Arches Diversion Project and selected Stantec Consulting Services, Inc. (Stantec) through the competitive process. Staff recommends approval of Amendment No. Four to Stantec's Professional Services Agreement to include additional project design, which will allow remote sensing of diversion flow meters and remote operation of the diversion pumps, and to provide additional technical information requested by Caltrans.

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. Four to Professional Services Agreement with Stantec Consulting Services, Inc. for design of the Arches Diversion Project to reflect additional services and to increase the not-to-exceed contract amount by \$35,200 for a total not-to-exceed amount of \$347,386, and authorize the Mayor and City Clerk to execute the agreements.

FUNDING REQUIREMENTS:

Sufficient funding is available in the current Capital Improvement Program budget for the award of this contract. It will be expensed to Tidelands Maintenance account 10001-980000-16X11.

DISCUSSION:

The Arches Diversion Project creates two dry-weather flow diversions, one located adjacent to Old Newport Boulevard across from the A's Restaurant, and the other located just south of Hoag Hospital. Each diversion is to capture fecal indicator bacteria loads in the storm drain and divert those bacterial loads into the sanitary sewer system, therefore preventing these bacterial loads from entering the Bay.

On November 22, 2016, City Council awarded a Professional Services Agreement for design and permitting of the Arches Diversion Project to Stantec Consulting Services, Inc. (Stantec) for an initial three year term and a not to exceed amount of \$249,786. In 2018 and 2019, the City executed Amendments No. One, Two, and Three to reflect additional services, extend the term of the agreement by one additional year, and to increase the total compensation by a total of \$62,400.

Since the original contract execution, the consultant has worked diligently with staff on the construction documents and has made numerous adjustments per City staff suggestions and in response to new requirements of the Orange County Sanitation District (OCSD) and Caltrans. As a result, the design is much improved and the estimated construction costs have been reduced. As discussed, three contract amendments have previously been approved for Stantec's design staff to implement the requested changes to the construction documents.

As anticipated construction costs have dropped significantly per the design changes and there is an opportunity to upgrade the project, per the suggestions and recommendations of City staff, OCSD and Caltrans, to include a centralized system at the Utilities Yard to remotely monitor pumps and flow meters and provide remote control of the pumps at the two diversion sites. The additional construction costs for this upgrade can be accommodated within the grant-funded construction budget of \$633,000.

At this time, staff requests approval of Amendment No. Four to increase the total compensation by \$35,200 to reflect additional design services, as well as providing supplemental technical information requested by Caltrans. With approval of this amendment, the total not to exceed amount will be \$347,386.00 over the four year term. The current adopted Capital Improvement Program budget includes sufficient funding for this amendment.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action (consultant agreement) is not subject to 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. Categorical Exemptions for Old Newport Boulevard storm drain diversion and the Hoag storm drain diversion have been filed.

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 – Amendment No. Four to Professional Services Agreement with Stantec Consulting Services, Inc.
Attachment B – Location Map