

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) na
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): ECP/Right of Way Design Div	DATE: 03/15/2010
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SUBJECT: AMENDMENT NO.1 TO COOPERATIVE AGREEMENT WITH CALTRANS FOR THE LAUREL STREET (CABRILLO) BRIDGE OVER STATE ROUTE 163.

PRIMARY CONTACT (NAME, PHONE): Brad Johnson, 533-5120 MS 908A	SECONDARY CONTACT (NAME, PHONE): Marnell Gibson, 533-5213 MS 908A
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COMPLETE FOR ACCOUNTING PURPOSES

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER	S-00939				
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE): No cost with this action.

ROUTING AND APPROVALS

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Environmental Analysis	ORIG DEPT.	Boekamp, Patti	3/17/2010
Liaison Office	CFO		
Equal Opportunity Contracting	DEPUTY CHIEF		
Financial Management	COO		
Comptroller	CITY ATTORNEY		
	COUNCIL PRESIDENTS OFFICE		

PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

1. Authorizing the Mayor or his Designee, to enter into Amendment No. 1 to Cooperative Agreement with Caltrans for the purpose of preparing the Project Report, Environmental Document, Plans, Specifications and

Estimate for the seismic retrofit and rehabilitation of the Laurel Street (Cabrillo) Bridge over State route 163. CIP 53-061.0, S-00939	
STAFF RECOMMENDATIONS: Adopt the resolution.	
SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)	
COUNCIL DISTRICT(S):	3
COMMUNITY AREA(S):	Balboa Park
ENVIRONMENTAL IMPACT:	This activity (Amendment No. 1 to Cooperative Agreement) is not subject to CEQA, pursuant to Section 15060(c)(3) of the State CEQA Guidelines. Caltrans will be the CEQA Lead Agency for any construction work as described in the Cooperative Agreement and will involve the City as a Responsible Agency.
CITY CLERK INSTRUCTIONS:	

**COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO**

DATE: 03/15/2010

ORIGINATING DEPARTMENT: ECP/Right of Way Design Div

SUBJECT: AMENDMENT NO.1 TO COOPERATIVE AGREEMENT WITH CALTRANS FOR THE LAUREL STREET (CABRILLO) BRIDGE OVER STATE ROUTE 163.

COUNCIL DISTRICT(S): 3

CONTACT/PHONE NUMBER: Brad Johnson/533-5120 MS 908A

REQUESTED ACTION:

Authorizing the Mayor or his Designee to enter into Amendment No. 1 to Cooperative Agreement with Caltrans for the Laurel Street (Cabrillo) Bridge over State Route 163.

STAFF RECOMMENDATION:

Adopt the resolution.

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

The maintenance of the Laurel Street (Cabrillo) Bridge over State Route 163 is the responsibility of both the City of San Diego and Caltrans. This bridge has been identified by Caltrans as needing both seismic retrofitting and rehabilitation improvements. The original Cooperative Agreement covered the Stage 1 work, which consists of preparing the Project Report, Environmental Document, Plans, Specifications and Estimates for the seismic retrofit and rehabilitation of the bridge.

Caltrans original estimate to complete the Stage 1 work was \$3,633,000. Caltrans' new estimate to complete the Stage 1 work is \$4,351,300. This Amendment No. 1 to the Cooperative Agreement covers the additional \$718,300 in State Highway Operation and Protection Program (SHOPP) funds Caltrans is adding to the project budget to address the shortfall in funding to complete the Stage 1 work.

A separate Cooperative Agreement will address the Stage 2 work, which will include construction of the seismic retrofit and rehabilitation work.

FISCAL CONSIDERATIONS:

Caltrans is funding 100% of the cost of the work associated with Amendment No. 1 to the Cooperative Agreement and the original Cooperative Agreement.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

This agreement is not subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708). This agreement is subject to the City's Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Approval of Cooperative Agreement with Caltrans, dated September 28, 2008, City of San Diego Document RR 304147. This item is on the agenda for the April 21, 2010 Land Use and Housing Committee Meeting.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Both the Historic Resources Board and Balboa Park Committee were previously briefed on the proposed scope of work for the bridge.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Caltrans

Balboa Park Committee

Historic resource Board

Boekamp, Patti

Originating Department

Deputy Chief/Chief Operating Officer

11-SD-163-1.4
EA No.: 26411
District Agreement No.: 11-0639 A1

AMENDMENT No. 1 to AGREEMENT

This Amendment Number 1 to Agreement 11-0639, entered into effective on _____, is between the State of California, acting by and through its Department of Transportation, referred to as "CALTRANS", and the:

City of San Diego, a body politic and municipal corporation or chartered city of the State of California, referred to as "CITY".

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTNERS, entered into a cooperative agreement 11-0639, effective September 23, 2008, defining the terms and conditions of a project to complete PA& ED and PS&E work of Laurel St OC Rehab/Retrofit on State Route 163.
2. Said Agreement sets CALTRANS' total PROJECT obligation at \$3,633,000 in State Highway Operation and Protection Program (SHOPP) Funds and it has been determined that CALTRANS' total PROJECT obligation will exceed that amount. CALTRANS is adding \$718,300 in SHOPP funds due to a shortfall in funding to complete PROJECT for a CALTRANS revised total obligation in the amount of \$4,351,300. Revised Funding Summary, labeled as Exhibit A, attached to this Amendment, supersedes Funding Summary shown in the original Agreement. Any reference to FUNDING SUMMARY in the original agreement is deemed to be a reference to the Revised FUNDING SUMMARY dated March 4, 2010. Article 81 is amended in its entirety to read as follows:

FUNDING PARTNERS accept responsibility to provide the funds identified on the revised FUNDING SUMMARY (Exhibit A).

3. Article 86 is amended in its entirety to read as follows:

FUNDING PARTNERS will share the cost of PA&ED in the proportions shown on the revised FUNDING SUMMARY.

4. Article 87 is amended in its entirety to read as follows:
FUNDING PARTNERS will share the cost of PS&E in the proportions shown on the revised FUNDING SUMMARY.
5. The other terms and conditions of said Agreement 11-0639 shall remain in full force and effect.
6. This Amendment to Agreement is hereby deemed to be a part of Agreement 11-0639.

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.

The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CITY OF SAN DIEGO

By: _____
Ross Cather
Deputy District Director

By: _____
Jerry Sanders or Designee
Mayor

CERTIFIED AS TO FUNDS:

Attest: _____
Elizabeth Maland
City Clerk

By: _____
Marlene Davis
District Budget Manager/UP

APPROVED AS TO FORM AND
PROCEDURE

By: _____
City Attorney

FUNDING SUMMARY (Exhibit A) March 4, 2010

Funding Source	Funding Partner	Funding Type	PA&ED	Design	Subtotal Support	Subtotal Capital	Subtotal Funds Type
STATE	CALTRANS	SHOPP	\$757,400	\$3,593,900	\$4,351,300	\$0.00	\$4,351,300
		Subtotals by Component	\$757,400	\$3,593,900	\$4,351,300	\$0.00	\$4,351,300

PREVIOUS FUNDING SUMMARY

Funding Source	Funding Partner	Funding Type	PA&ED	Design	Subtotal Support	Subtotal Capital	Subtotal Funds Type
STATE	CALTRANS	SHOPP	\$1,233,000.00	\$2,400,000.00	\$3,633,000.00	\$0.00	\$3,633,000.00
		Subtotals by Component	\$1,233,000.00	\$2,400,000.00	\$3,633,000.00	\$0.00	\$3,633,000.00