

000341

DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO

DATE:

104
11/13

EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

September 12, 2007

SUBJECT: MTS Station Improvement Project- Additional Funding

GENERAL CONTRACT INFORMATION

Recommended Contractor: A.B.Hashmi, Inc.

Amount of this Action: \$ 90,000.00
Original Contract: \$ 220,000.00
Cumulative Total: \$ 310,000.00

Funding Source: City of San Diego

SUBCONTRACTOR PARTICIPATION

	<u>This Action</u>		<u>Cumulative</u>	
Espinoza and Son Construction (Other)	\$ 9,000.00	10.00%	\$ 14,200.00	4.58%
R.W. Little Construction (Other)	\$ 0.00	0.00%	\$ 4,000.00	1.29%
Total Certified Participation	\$ 0.00	0.00%	\$ 0.00	0.00%
Total Other Participation	\$ 9,000.00	10.00%	\$ 18,200.00	5.87%
Total Participation	\$ 9,000.00	10.00%	\$ 18,200.00	5.87%

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

Equal Opportunity: Required

A.B.Hashmi, Inc., has submitted a Work Force Report for their San Diego employees dated April 17, 2007 indicating 4 employees in the Administrative Work Force and 8 employees in the Trade Work Force.

The firm has fewer than 15 employees and therefore, is exempt from the employment category goals.

ADDITIONAL COMMENTS

The *Work Force Analysis* is attached.

RL

000000

File: Admin WOFO 2000

Date WOFO Submitted: 4/17/2007
 Input by: SH

Goals reflect statistical labor force availability for the following: 2000 CLFA
 San Diego, CA

City of San Diego/Equal Opportunity Contracting
WORK FORCE ANALYSIS REPORT

FOR
 Company: A. B. Hashmi, Inc.

I. TOTAL WORK FORCE:

	Black		Hispanic		Asian		American Indian		Filipino		White		Other				
	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F		
Mgmt & Financial	3.3%	0	0	11.9%	0	0	6.2%	0	0	6.2%	0	0	0	0	1	0	
Professional	4.0%	0	0	12.6%	0	0	6.5%	0	0	6.5%	0	0	0	0	0	0	
A&E, Science, Computer	2.8%	0	0	7.3%	0	0	16.2%	0	0	0.3%	0	0	18.2%	0	0	0	
Technical	6.6%	0	0	14.8%	0	0	17.2%	0	0	0.4%	0	0	17.2%	0	0	0	
Sales	3.9%	0	0	19.5%	0	0	6.8%	0	0	0.6%	0	0	6.8%	0	0	0	
Administrative Support	7.0%	0	0	20.8%	0	0	8.8%	0	0	0.6%	0	0	8.8%	0	0	0	
Services	5.5%	0	0	36.9%	0	0	9.7%	0	0	0.6%	0	0	9.7%	0	0	0	
Crafts	4.5%	0	0	25.8%	0	0	9.1%	0	0	0.7%	0	0	9.1%	0	0	0	
Operative Workers	4.3%	0	0	38.8%	2	0	20.8%	0	0	0.3%	0	0	20.8%	0	0	0	
Transportation	8.1%	0	0	32.1%	0	0	4.5%	0	0	0.5%	0	0	4.5%	0	0	0	
Laborers	4.4%	0	0	54.0%	0	0	4.1%	0	0	0.5%	0	0	4.1%	0	0	0	
TOTAL		0	0		2	0		0	0		0	0		0	0	1	1

HOW TO READ TOTAL WORK FORCE SECTION:

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading of "CLFA Goals" are the County Labor Force Availability goals for each employment and ethnic/gender category.

Mgmt & Financial
 Professional
 A&E, Science, Computer
 Technical
 Sales
 Administrative Support
 Services
 Crafts
 Operative Workers
 Transportation
 Laborers

TOTAL EMPLOYEES			Female Goals
ALL	M	F	
1	1	0	39.8%
0	0	0	59.5%
0	0	0	22.3%
0	0	0	49.0%
0	0	0	49.4%
1	0	1	73.2%
0	0	0	62.3%
0	0	0	8.6%
2	2	0	36.7%
0	0	0	15.2%
0	0	0	11.1%
TOTAL	4	3	1

HOW TO READ EMPLOYMENT ANALYSIS SECTION:

The percentages listed in the goals column are calculated by multiplying the CLFA goals by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA goal. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

II. EMPLOYMENT ANALYSIS

This firm has fewer than 15 employees and is, therefore, exempt from the employment category goals.

000343

File: Trade WOFO 2000
 Date: 04/17/07
 Input by: SH

City of San Diego / Equal Opportunity Contracting
CONSTRUCTION TRADE ANALYSIS REPORT

CLFA Data reflect statistical labor force availability for Construction Trade Employment in San Diego, CA
 Company: A. B. Hashmi, Inc.

I. TOTAL CRAFTS & TRADE WORK FORCE:

San Diego, CA County Labor Force Availability Goals

	CLFA Goals	Black		Hispanic		Asian		American Indian		Filipino		White		
		M	F	M	F	M	F	M	F	M	F	M	F	
Brick, Block or Stone Masons	1.4%	0	0	43.5%	0	0	1.0%	0	0	0.4%	0	0	0	0
Carpenters	2.3%	0	0	33.9%	0	0	1.7%	0	0	0.5%	0	0	0	0
Carpet, Floor & Tile Installers & Finishers	0.9%	0	0	40.2%	0	0	0.8%	0	0	0.3%	0	0	0	0
Cement Masons, Concrete Finishers	4.4%	0	0	67.6%	0	0	0.0%	0	0	0.4%	0	0	0	0
Construction Laborers	3.4%	0	0	50.8%	3	0	1.8%	0	0	0.8%	0	0	1	0
Drywall Installers, Ceiling Tile Installers	1.3%	0	0	55.5%	0	0	1.1%	0	0	0.2%	0	0	0	0
Electricians	5.8%	0	0	15.9%	0	0	7.6%	0	0	0.5%	0	0	0	0
Elevator Installers and Repairers	0.0%	0	0	5.9%	0	0	0.0%	0	0	0.0%	0	0	0	0
First-Line Supervisors/Managers	1.0%	0	0	20.7%	0	0	2.0%	0	0	0.9%	0	0	0	0
Glaziers	1.9%	0	0	24.5%	0	0	0.0%	0	0	0.0%	0	0	0	0
Helpers, Construction Trades	0.0%	0	0	46.2%	0	0	6.2%	0	0	0.8%	0	0	0	0
Millwrights	0.0%	0	0	31.3%	0	0	12.5%	0	0	0.0%	0	0	0	0
Misc. Const. Equipment Operators	4.3%	0	0	19.7%	3	0	0.0%	0	0	1.6%	0	0	0	0
Painters, Construction & Maintenance	3.0%	0	0	45.7%	0	0	3.2%	0	0	1.1%	0	0	0	0
Pipelayers, Plumbers, Pipe & Steam Fitters	4.0%	0	0	29.2%	0	0	2.1%	0	0	0.6%	0	0	0	0
Plasterers and Stucco Masons	5.4%	0	0	66.9%	0	0	0.0%	0	0	3.4%	0	0	0	0
Roofers	1.2%	0	0	55.7%	0	0	0.6%	0	0	0.9%	0	0	0	0
Security Guards & Surveillance Officers	17.3%	0	0	20.2%	0	0	6.8%	0	0	0.6%	0	0	0	0
Sheet Metal Workers	3.6%	0	0	26.4%	0	0	5.1%	0	0	0.9%	0	0	0	0
Structural Metal Fabricators & Fitters	0.0%	0	0	26.3%	0	0	0.0%	0	0	0.0%	0	0	0	0
Welding, Soldering & Brazing Workers	4.5%	0	0	47.5%	0	0	10.0%	0	0	1.2%	0	0	0	0
Workers, Extractive Crafts, Miners	2.8%	0	0	32.4%	0	0	2.4%	0	0	0.8%	0	0	0	0
TOTAL		0	0		6	0		0	0		0	0		1

How to Read Total Work Force Section:

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading CLFA Data are the County Labor Force Availability (CLFA) data for each employment and ethnic/gender category.

	ALL	M	F	Female Goals
Brick, Block or Stone Masons	0	0	0	1.0%
Carpenters	0	0	0	2.2%
Carpet, Floor & Tile Installers & Finishers	0	0	0	1.7%
Cement Masons, Concrete Finishers	0	0	0	1.5%
Construction Laborers	4	4	0	2.8%
Drywall Installers, Ceiling Tile Installers	0	0	0	1.5%
Electricians	1	1	0	4.2%
Elevator Installers and Repairers	0	0	0	0.0%
First-Line Supervisors/Managers	0	0	0	2.7%
Glaziers	0	0	0	0.0%
Helpers, Construction Trades	0	0	0	0.8%
Millwrights	0	0	0	0.0%
Misc. Const. Equipment Operators	3	3	0	3.2%
Painters, Construction & Maintenance	0	0	0	6.0%
Pipelayers, Plumbers, Pipe & Steam Fitters	0	0	0	1.9%
Plasterers and Stucco Masons	0	0	0	1.4%
Roofers	0	0	0	0.9%
Security Guards & Surveillance Officers	0	0	0	14.9%
Sheet Metal Workers	0	0	0	3.2%
Structural Metal Fabricators & Fitters	0	0	0	0.0%
Welding, Soldering & Brazing Workers	0	0	0	10.9%
Workers, Extractive Crafts, Miners	0	0	0	2.8%
TOTAL	8	8	0	

How to Read Construction Crafts & Trade Work Force Analysis:

The percentages listed in the goals column are calculated by multiplying the CLFA data by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA data. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

II. CONSTRUCTION CRAFTS & TRADE WORK FORCE ANALYSIS:

This firm has fewer than 15 employees and is, therefore, exempt from the employment category goals.

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

000345

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE ONLY)
N/A

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Engineering & Capital Projects

3. DATE:
8/29/2007

4. SUBJECT:
MTS STATION IMPROVEMENT PROJECT - ADDITIONAL FUNDING

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
Mike Arnold, 533-3754, MS612

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
Gary Chui, 533-3789, MS612

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	38984			
DEPT.				
ORGANIZATION	9544			
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT	\$90,000			

9. ADDITIONAL INFORMATION / ESTIMATED COST:	
Estimated Project cost:	
Previously Approved	\$220,000
This Request	\$ 90,000
Total Project Cost	\$310,000

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	[Signature]	9/5/07	8	DEPUTY CHIEF	[Signature]	10-16-07
2	EAS	Allison Heywood	9/7/07	9	COO	NOT REQUIRED	
3	EOCP	Celia Dwyer	9/12/07	10	CITY ATTORNEY	Pete A. Noyes	10/30/07
4	LIAISON OFFICE	[Signature]	9/27/07	11	ORIG. DEPT	[Signature]	10-30-07
5	CIP/FM	[Signature]	10/4/07		DOCKET COORD.	[Signature]	
6	AUDITOR	[Signature]	10/8/07		COUNCIL LIAISON	[Signature]	
7	COMPTROLLER CIP	[Signature]	10/10/07		COUNCIL PRESIDENT	[Signature]	

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

1. Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2008 Capital Improvements Program budget for CIP 52-737.0, MTS Station Improvement Project in an amount not to exceed \$90,000 in Fund 38984; and

11A. STAFF RECOMMENDATIONS:
Adopt the resolutions

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 4

COMMUNITY AREA(S): Southeastern (Encanto)

CITY CLERK INSTRUCTIONS: Please forward one copy of the adopted resolution to Mike Arnold, MS 612

ENVIRONMENTAL IMPACT: This activity is exempt from CEQA pursuant to State CEQA Guideline Section 15060(c) (3).

OTHER ISSUES: Attachment: First Amendment to the Memorandum of Understanding
Project Cost Estimate

000346

2. Authorizing the City Auditor and Comptroller to accept an additional \$90,000 in billboard revenue funds from the Metropolitan Transit System; and
3. Authorizing the Mayor or his designee to execute the First Amendment to the Memorandum of Understanding with the San Diego Metropolitan Transit System [MTS] for the MTS Station Improvement Project, under the terms and conditions set forth in the MOU on file in the office of the City Clerk as Document No. RR-300804; and
4. Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$90,000 from CIP 52-737.0, MTS Station Improvement Project, Fund 38984, for the purpose of additional construction and administrative cost; and
5. Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY ATTORNEY
07 OCT 16 PM 2: 03
CIVIL DIVISION

ATTENTION: Council President and City Council
000347
ORIGINATING DEPARTMENT: Engineering and Capital Projects
SUBJECT: MTS Station Improvement Project – Additional funding
COUNCIL DISTRICT(S): 4
CONTACT/PHONE NUMBER: Mike Arnold (619) 533-3754

REQUESTED ACTION:

Accept additional billboard revenue funds from the Metropolitan Transit System for the construction of MTS Station Improvement Project and other related expenses.

STAFF RECOMMENDATION:

Adopt the Resolution

EXECUTIVE SUMMARY:

In 1987, the City of San Diego agreed to allow one sign to be placed in the right-of-way adjacent to Interstate 15 near Imperial Avenue. For this, the Metropolitan Transit System (MTS, formally MTDB) created a billboard reserve fund for the City of San Diego and has been depositing the revenue generated from the lease with the billboard owner. According to MTDB, this revenue may be used for purposes having a clear nexus to mass transit, such as landscaping and pedestrian improvements. On February 24, 2005, the City presented preliminary concept plans of the project to MTS at the meeting of the Board of Directors for Metropolitan Transit System. Board members unanimously approved the project and an expenditure of up to \$220,000 from the billboard reserve account to be used for final design and construction. MTS has also agreed to maintain all landscaping, irrigation, and architectural enhancements installed by this project.

This MTS Trolley Station Improvement Project would make improvements to three trolley stations within the City of San Diego; including pedestrian access enhancements, landscaping, irrigation, sidewalks, and other related work. The three trolley stations identified for improvement are; 1) Encanto/62nd Street, 2) Euclid Avenue, and 3) 47th Street.

The project began advertising for construction on February 15, 2007 and the bid opening was held on March 8, 2007. On June 5, 2007, the base bid portion of the construction contract was awarded to A.B Hashmi Inc. and additional funds were needed to award the two Additive Alternatives "A", and "B". Additive Alternate "A" includes improvements at the 47th Street Station, and Additive Alternate "B" includes more landscape and hardscape improvements at the 62nd Street Station. On August 16th, 2007, the City requested additional billboard reserve funds at the MTS Board of Directors meeting for construction of Additive Alternatives "A", and "B". Board members unanimously approved the City's request for an additional \$90,000 for these improvements.

FISCAL CONSIDERATION:

The total estimated cost of this project is \$310,000. The funding is from the MTS billboard reserve account, Fund 38984. (See attached cost estimate)

PREVIOUS COUNCIL ACTIONS:

March 26, 2004 (R-299290)-Authorized the addition of CIP 52-737.0, MTS Trolley Station Project, to the FY 04 Capital Improvement Program, authorized to establish a special fund, 38984, for MTS funds, authorized to accept, appropriate and expends up to \$40,000 from Fund 38984 for the purpose of preparing preliminary landscape concept plans.

May 31, 2005 (R-300804) - Authorized to execute a Memorandum of Understanding with MTS, authorized to accept, appropriate and expends up to \$220,000 from Fund 38984 for the purpose of preparing preliminary landscape concept plans.

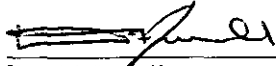
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The council office and Board of Directors for Metropolitan Transit System are in full support of the project. The City has been working with the council office and MTS throughout the planning and design development process.

000348

KEY STAKEHOLDERS (if applicable):

Metropolitan Transit System (MTS, formally MTDB), A.B. Hashmi



David Jarrell

(Interim) Director/Engineering and Capital Projects



Richard Haas

Deputy Chief/Public Works

000349

MTS Trolley Station Improvement Project

PROJECT COST ESTIMATE

Agreement _____
 Advertise _____
 Award/Amend X

Prepared by: Gary Chui
 Date: 24-Sep-07
 W.O. No. 527370

(Project Title)

ACTIVITY	% OF E	CIP NO. OR OTHER SOURCE OF FUNDS	TOTALS	% OF E
A. <u>Planning/Design/Administration</u>				
3102 Postage/Mailing	0.2%	500.00	500.00	
4114 Preliminary Engineering	20.2%	62,697.34	62,697.34	
4115 Outside Engineering - Tasks	0.0%	0.00	0.00	
4964 Construction Engineering	8.7%	27,046.53	27,046.53	
4118 Engineering Design	6.3%	19,390.00	19,390.00	
4274 Contract Service Charges	1.8%	5,435.16	5,435.16	
4322 Balboa Quick Print	0.1%	\$175.95	175.95	
4325 Bindery Services	0.0%	\$102.02	102.02	
4918 Public Building & Park	3.2%	\$10,034.06	10,034.06	
4926 Development Services Charges	0.4%	\$1,334.92	1,334.92	
4946 Utility Dept Charges	0.2%	\$731.83	731.83	
4967 E & D Transp. Plan	0.1%	\$174.19	174.19	
4159 Construction Management	0.0%	0.00	0.00	
Total Planning/Design/Administration			127,622.00	41.20%
B. <u>Construction*</u>				
4150 Safety	0.0%	\$0.00	0.00	
4220 Prime Construction Contract	55.3%	\$171,378.00	171,378.00	
42220 JOC	0.0%	\$0.00	0.00	
4226 City Forces Work	0.0%	\$0.00	0.00	
4810 OCIP / Professional Liability	0.0%	\$0.00	0.00	
4981 SDDPC Support	0.0%	\$0.00	0.00	
Total Construction			171,378.00	55.30%
C. <u>Equipment and Furnishings</u>				
3298 Unclassified Materials/Supplies	0.0%		0.00	
6012 Fixtures and Installed Equip.	0.0%		0.00	
Total Ec			0.00	0.00%
D. <u>Contingencies</u>				
4905 Contingencies	3.5%	\$11,000.00	11,000.00	
4909 Pooled Contingencies	0.0%		0.00	
Total Cc			11,000.00	3.50%
SUBTOTAL			310,000.00	100.00%
E. <u>Equipment & Furnishings</u>				
4922 Equipment & Furnishings			0.00	0.00
F. <u>Land Aquisition</u>				
4638 Land Acquisition			0.00	0.00
TOTAL PROJI		0.00	0.00	310,000.00

Prev. Auth. Res. :	R-300804	220,000.00
Prev. Auth. Res. :		
Prev. Auth. Res. :		
Prev. Auth. Res. :		
Prev. Auth. Res. :		
Prev. Auth. Res. :		
Total Previous Authorized		220,000.00
ADDITIONAL AUTH. REQUIRED		90,000.00

(When Applicable)		
SAVINGS BY USE OF CITY FORCES		
	City Forces	Contract
Labor		
Material		
Equip.		
Profit		
TOTAL	0	0

FUNDING:	38984	
DESCR:	MTS Bill Board	
AMOUN:	Fund	
	\$310,000.00	TOTAL
		310,000.00

COMMENTS:

000351

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AUTHORIZING ADDITIONAL FUNDING FOR THE
METROPOLITAN TRANSIT SYSTEM IMPROVEMENT
PROJECT IN THE SOUTHEASTERN COMMUNITY AREA.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Fiscal Year 2008 Capital Improvements Program Budget for CIP 52-737.0, Metropolitan Transit System [MTS] Station Improvement Project [Project], is amended by increasing the budget amount by \$90,000 in Fund 38984.
2. That the City Auditor and Comptroller is authorized to accept an additional amount not to exceed \$90,000 in billboard revenue funds from the MTS.
3. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, a First Amendment to the Memorandum of Understanding Between the MTS and the City of San Diego Regarding Trolley Station Landscaping, on file in the office of the City Clerk as Document No. RR-300804, under the terms and conditions set forth in the First Amendment, on file in the office of the City Clerk as Document No. RR _____.
4. That the appropriation and expenditure of an amount not to exceed \$310,000 from CIP 52-737.0, MTS Station Improvement Project, Fund 38984, is authorized solely and exclusively for the purpose of providing funds for the design and construction of the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

000352

6. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Peter A. Mesich
Peter A. Mesich
Deputy City Attorney

PAM:cfq
10/01/07
Or.Dept:E&CP
R-2008-284

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

FIRST AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING
BETWEEN THE METROPOLITAN TRANSIT SYSTEM AND THE
CITY OF SAN DIEGO REGARDING TROLLEY STATION LANDSCAPING

THIS FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into between the City of San Diego (City), a municipal corporation, and the Metropolitan Transit System (MTS) (collectively, the Parties) regarding the MTS Station Improvement Project (Project) and its funding with monies from the San Diego Billboard Reserve Fund (Reserve Fund).

RECITALS

MTS constructed a billboard on property owned by MTS but located within the City. As consideration for placing the billboard within the City, MTS agreed to deposit the lease revenue from the billboard sign into the Reserve Fund. Monies contained in the Reserve Fund may be used by the City for purposes having a clear nexus to mass transit and subject to mutual approval by the Parties, such as landscaping along the right-of-way, graffiti and litter removal, and pedestrian improvements.

The Parties desire to proceed with the Project, which is to improve the 47th Street, Euclid Avenue, and Encanto/62nd Stations with landscaping and aesthetic and pedestrian-access enhancements.

The City has requested the release of additional Reserve Fund monies in order to pay for additive alternatives to the Project.

On March 24, 2005, the MTS Board of Directors approved the Project and the expenditure of up to \$220,000 from the Reserve Fund for said Project and also agreed to maintain the Project upon its completion.

On August 16, 2007, the MTS Board of Directors approved additional funds in the amount of \$90,000.

The Parties desire to amend their original MOU regarding the Project's funding, design, construction, and maintenance.

In consideration of the above recitals and the mutual covenants and conditions set forth herein, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby set forth their mutual covenants and understandings as follows:

SECTION I

The City agrees as follows:

There shall be no changes to paragraphs 1 through 4 of Section I of the original MOU. The following changes shall be made to paragraph 5 of Section I of the MOU:

5. The City shall invoice MTS each month for costs incurred to date for the Project. Total invoices for the Project shall not exceed \$310,000, including work performed up to the date of the execution of this MOU.

SECTION II

MTS agrees as follows:

There shall be no changes to paragraphs 7 through 9 of Section II of the original MOU. The following changes shall be made to paragraph 6 of Section II of the original MOU:

- 6. MTS shall review and approve each monthly invoice received from the City. MTS shall make reimbursement payments to the City within 30 days of receipt of invoices from the City. The total compensation payable to the City for the entire Project shall not exceed \$310,000.

SECTION III

The Parties agree as follows:

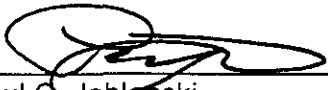
There shall be no changes to paragraphs 10, 13, 14, 15, 16, 17, and 18 of Section III of the original MOU. The following changes shall be made to paragraphs 11 and 12 of Section III of the original MOU:

- 11. Neither the City nor the City's contractor shall perform any work or services related to this MOU with a value in excess of \$310,000 unless previously approved in writing by the MTS Board of Directors.
- 12. In the event that the Project is completed at a cost less than \$310,000, the balance of funds shall remain in the Reserve Fund.

a. IN WITNESS THEREOF, this MOU is executed by the City, acting by and through its Engineering and Capital Projects Director, pursuant to the City Manager's delegation of authority, and by MTS.

METROPOLITAN TRANSIT SYSTEM

CITY OF SAN DIEGO



Paul C. Jablonski
Chief Executive Officer

David Jarrell
Interim Director

Date: 8/23/07

Date: 10/16/07

Approved as to form:

Approved as to form and legality:
Michael J. Aguirre, City Attorney



Tiffany Lorenzen
General Counsel

Peter Mesich
Deputy City Attorney

Date: 8/23/07

Date: _____

Revised Cost Estimate MTS Stations Improvement Project

DESCRIPTION	AMOUNT
A. ENGINEERING	
Postage/Mailing	\$42.90
Preliminary Engineering	\$40,902.94
Engineering Design	\$19,390.00
Contract Service Charges	\$5,435.16
Balboa Quick Print	\$175.95
Bindery Services	\$102.02
Public Building & Park	\$10,034.06
Development Services Charges	\$1,334.92
Utility Dept Charges	\$731.83
E & D Transp. Plan	\$174.19
E & D Field Charge	\$212.38
TOTAL ENGINEERING	\$78,536.35
B. CONSTRUCTION	
Prime Construction Contract	\$109,510.50
Contingencies (10%)	\$10,651.05
Construction Engineering (20%)	\$21,302.10
TOTAL BASE CONSTRUCTION	\$141,463.65
TOTAL BASE PROJECT COST	\$220,000.00
C. ADDITIVE ALTERNATES	
Additive Alternate A (47th Street)	\$40,200.00
Additive Alternate B (Cobble Veneer)	\$12,860.00
Upsizing Trees at 62nd Street Station	\$7,500.00
Contingencies (10%)	\$6,056.00
Construction Engineering (20%)	\$12,112.00
Administration	\$11,272.00
TOTAL ADDITIVE ALTERNATES	\$90,000.00
TOTAL PROJECT COST INCLUDE ALL ADDITIVE ALTS)	\$310,000.00

000356

Revised Schedule and Scope of Work

BASE CONSTRUCTION SCHEDULE

MTS Board Meeting to Approve Project Funds	August 16 th , 2007	
	<u>From</u>	<u>To</u>
Design Completion	3-25-05	1-26-07
Minor Contracts Bid and Award	1-29-07	6-29-07
Construction to substantial completion	8-20-07	11-19-07
Construction punch list to Notice of Completion	11-20-07	11-30-07
Update Records and Asbuilt	12-03-07	12-14-07
Project Closeout	12-17-07	12-28-07

BASE + ALL ADDITIVE ALTERNATES CONSTRUCTION SCHEDULE

MTS Board Meeting to Approve Project Funds	August 16 th , 2007	
	<u>From</u>	<u>To</u>
Design Completion	3-25-05	1-26-07
Minor Contracts Bid and Award	1-29-07	6-29-07
Construction to substantial completion	8-20-07	2-19-08
Construction punch list to Notice of Completion	2-20-08	2-29-08
Update Records and Asbuilt	3-03-08	3-14-08
Project Closeout	3-17-07	3-28-08

Scope of Work

The Metropolitan Transit System trolley station improvement project consists of making aesthetics and pedestrian access enhancements such as landscaping, irrigation, sidewalks, and other related work. The trolley stations included in the scope of this project are: 47th Street, Euclid Avenue, and 62nd Street/Encanto sites. The additional \$90,000 will allow for the construction improvements to be made at the 47 St. station, and additional improvements such as the cobble veneer wall and upsizing some of the tress at the 62nd St./Encanto location.