

**NORTH COUNTY CORRIDOR
TRANSPORTATION EXPRESSWAY AUTHORITY**

ITEM: 3b

SUBJECT:

Amendment #4 to the Agreement for Professional Design Services with Jacobs Engineering Group, Inc.

STAFF RECOMMENDATIONS:

By motion, approve the Authority Manager to execute Amendment #4 to the Agreement for Professional Design Services with Jacobs Engineering Group, Inc. for the North County Corridor Transportation Expressway Project for a total contract amount not to exceed \$9,398,767. This amount shall include, without limitation, the cost of any subcontractors, consultants, experts or investigators retained pursuant to Professional Design Service Agreement.

FISCAL IMPACT:

The North County Corridor project is funded by State Transportation Improvement Program (STIP) funds in the amount of \$6,200,000 and up to \$4,900,000 of Regional Transportation Impact Fees (RTIF).

The requested amendment will be funded with \$330,002 of the available RTIF funds.

DISCUSSION:

The NCC Board entered into an Agreement for Professional Services with Jacobs Engineering on July 21, 2008. A Task Order #1, approved on February 11, 2009, increased the Task Order apportionment and time extension, but did not involve additional compensation. The Board approved task Orders 2 and 3 on March 11, 2009.

The State Route 108 Adoption of the North County Corridor was successfully completed and accepted by the California Transportation Commission on May 20, 2010 for the portion of SR 108 between McHenry Avenue and SR 120 east of Oakdale. Due to the unanticipated complexity and overwhelming public comment on the document, the Board approved Amendment #2 to the Jacobs contract in the amount of \$1,296,592 on June 16, 2010.

Amendment 2 resulted in a revised contract scope providing a "blended" CEQA/NEPA document that will analyze specific alignments from SR 99 to a connection to existing SR 108 east of Oakdale. Within this document, the specific description of the proposed action (e.g., number of lanes, interchange locations, etc.) will be defined, a distinct range of reasonable alternatives will be identified, and the preferred alignment (location) for the route will ultimately be identified. The scope will also include the environmental clearance of a constructible phase 1 segment of roadway.

Certification and Record of Decision and Notice of Decision associated with the project would pertain specifically to the funded constructible phase only for construction purposes. The combined document would also allow for right-of-way /corridor preservation for the entire corridor.

Caltrans is the CEQA and NEPA lead agency for the North County Corridor State Route 99 to State Route 120 Project. Public comments collected at this meeting are not part of the CEQA or NEPA public review process and will not be made a part of the official public record.

On November 16, 2011 the Board approved Amendment #3 to the Jacobs Contract in the amount of \$221,382. This additional compensation was for the work and additional scope as defined in the contract amendment and Exhibit C-A3; and, as detailed in the letters from Jacobs (dated September 2, 2011) and Fehr & Peers (dated March 28, 2011) attached to Exhibit C-A3 and summarized as follows:

- Additional work required for alternative screening beyond the scope identified in Alternative 2 (analyze 12 alternatives for environmental screening). The public scoping meetings resulted in 18 alternatives to analyze for environmental screening
- Additional work required obtaining Permission to Enter access of over 1100 properties
- Additional project management
- Design scope changes (resulting in deletion and addition of scope)
- Land Net Survey scope changes
- Traffic scope changes
- Overhead and indirect costs

The purpose of Amendment #4 is to cover needed changes of scope in environmental studies and traffic analysis. The environmental scope changes will include protocol surveys for California Tiger Salamander (CTS) Surveys, Branchiopod Surveys, and Botanical Surveys. The traffic scope change will include traffic analysis for a hybrid alternative.

The current contract does include environmental scope for biological studies. Biological studies, for plants and animals, include two primary types of surveys. The first type is an assessment of potential habitat and the second type is protocol surveys. Protocol surveys is an effort to determine if specific plants and animals live in the area and what impacts will be on them and how to mitigate those impacts. Potential habitat must first be identified before protocol surveys can be defined. The current contract does include scope and cost to determine the potential habitat, yet does not include specific scope for the protocol surveys. This proposed amendment does include protocol surveys.

Additionally, we continue to gather technical information on all alternatives. With this technical information there may be opportunity to further screen some of the alternatives. With this in mind the current amendment covers the protocol surveys for the spring and summer of 2012 only. Additional protocol surveys will be needed this coming winter and the following spring / summer.

Due to timing restrictions and requirements from U. S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) protocol surveys for California Tiger Salamander (CTS) were conducted in March, and April and is being scheduled for May. This work is included in the amendment.

Dry season vernal pool branchiopod (fairy shrimp) protocol surveys are required per USFWS will take place from June through September. Up to 60 vernal pools will be surveyed based on the results of the habitat surveys already completed. Full vernal pool branchiopod surveys will require a wet season survey, which is not included in this amendment. If alternatives can be screened prior to the wet season, protocol surveys will be conducted only on the remaining alternatives.

Botanical protocol surveys are required by CDFG. The blooming season is between April and August. Because of the lack of rain in 2012 there is the potential that the absence of listed botanical surveys cannot be adequately determined. Therefore, a second set of spring/summer blooming-season botanical surveys in 2013 may be required. These surveys are not a part of this amendment.

Traffic Forecasting, Traffic Operational Analysis and Traffic Planning Report will be amended to add one additional alternative for the segment between SR 99 to SR 120/108 and two additional alternatives for the segment between McHenry Ave to SR 120/108. The purpose of adding the alternatives is to address a hybrid alternative. The hybrid alternative will follow Alternative 2 from Kiernan Interchange to Alternative 1 near Eleanor Ave (east of Riverbank) and end at SR 120/108 along Alternative 1A. This alternative is a mix of existing alternatives and has been discussed by stakeholders as a potential hybrid.

Additional scope of services is added to the existing scope to cover Jacobs' management, coordination and quality assurance of the additional scope above.

No revisions to the schedule are planned with this amendment; however, the schedule will move out and will be revised in the next amendment. The revised schedule is dependent upon the above studies, the ability to screen alternatives, and adequate rainfall to produce adequate protocol surveys.

The compensation amount includes a correction from Amendment #3 to add \$455 due to transposing of numbers in that Amendment.

ATTACHMENTS

1. Contract Amendment
2. Jacob's Request Letter