



BRIEFING: MAY 15, 2018 BOARD MEETING AGENDA ITEM #3

TO: Chairman Richard and Board Members

FROM: Joe Hedges, Chief Operating Officer
Terry Ogle, Director of Design and Construction

DATE: May 15, 2018

RE: Consider Amending the Agreement with the City of Fresno for the Relocation of G Street and Associated Utilities Necessary for the Relocation of the Fresno Rescue Mission

Summary of Recommended Action

Staff requests authorization to amend an agreement with the City of Fresno for the G Street Re-Alignment (HSR 16-37) to add \$5.2M and extend to December 31, 2020 for project completion. The re-alignment of G Street is necessary for the relocation of the Fresno Rescue Mission, a facility impacted by the high-speed rail alignment. The funding and time is for the construction phase and includes the re-alignment of G Street and PG&E facilities. The City of Fresno is delivering this project as a design-bid-build and the construction costs are based on the completed design and City's engineer estimate.

Background

In 2014, the Authority approved the Final Environmental Impact Report/ Environmental Impact Statement (FEIR/FEIS) for the Fresno to Bakersfield project section. The FEIR/FEIS states that, "according to the Rescue Mission's executive director, if the BNSF Alternative were implemented, the Mission would rebuild the facility on land it owns in the immediate vicinity, which could present an opportunity to improve and consolidate some of its functions that are now scattered, as well as meet ADA and other requirements that have come into existence since the original Rescue Mission was established. If this occurs, the relocation of the Fresno Rescue Mission onto land the Mission already owns needs to be evaluated for secondary impacts caused by the [high-speed rail] project." Fresno Rescue Mission is a non-profit organization which provides support for men, women and children by providing for their basic needs and offering programs to help them in their current situation.

The selected alignment (referred to above as the BNSF Alternative) requires the relocation, construction and removal of a portion of G Street to accommodate the relocation of the Fresno Rescue Mission. As this work is specific to the needs of the Fresno Rescue Mission, it is not subject to the Cooperative Agreements between the Authority and the City of Fresno (HSR 14-35 and HSR15-10), which address relocation of City-owned utilities and facilities.

In 2016, the Authority requested estimates to complete the proposed work and selected the City of Fresno for the project. The terms in the agreement with the City of Fresno govern both the design and construction phases

of the G Street Re-Alignment. The agreement was executed for \$350,000 to fund the design of the re-alignment and included an amendment for construction as an attachment. Per the terms of the agreement, once the design and engineering estimates were completed the parties would determine next steps, with the option to amend the contract for an agreed-upon construction amount.

The City was responsible for developing designs sufficient for procurement of the construction work; as well as certification that construction drawings, construction specifications, reports, and calculations meet the requirements of the City for the street closure of the current G Street, realignment of the new G Street, and of the Authority for any elements that are adjacent to or interact with the high-speed rail project.

With the design complete, the cost for construction is estimated at \$5.2M. This includes construction of the G Street re-alignment at \$3.9M based on the City's estimate and \$1.3M for the relocation of PG&E facilities. The PG&E estimate was provided by PG&E.

Prior Board Action

There has been no Board action on this matter as the initial agreement with the City of Fresno was executed at the staff level.

Discussion

The project involves the re-alignment of the existing G Street to the east approximately 90 feet to accommodate the permanent relocation of the Fresno Rescue Mission. The re-alignment of G Street will require the relocation of utilities within the existing G Street which includes City water and sewer, telecom and PG&E facilities. After the construction of the re-aligned G Street, the City will vacate existing G Street to the Fresno Rescue Mission for construction of their permanent facility. Currently, the Fresno Rescue Mission is temporarily relocating on the west side of existing G Street until such time that the City has vacated the existing G Street. The temporary relocation costs being incurred by the Fresno Rescue Mission on a monthly basis are funded by the terms of the relocation agreement the Authority has directly with the Fresno Rescue Mission.

The major elements of the work to be performed include but are not limited to:

- The construction of the G Street realignment;
- Traffic handling, pavement delineation, drainage, lighting and other supporting appurtenances, including maintaining temporary access roads for its needs and those that may be required by local jurisdictions and emergency response authorities;
- Removal of the existing G Street and transfer of City property rights to the Mission;
- Necessary arrangements with utility owners for the timely accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of Work or that violate City's encroachment policy. Utility relocations will be accomplished in accordance with City policies. Costs for City-owned utility relocations are included;
- The City shall secure and pay for, as part of the agreement, all required governmental approvals; and,
- The existing G Street and its associated improvements (including utilities) will be removed as part of the work performed under this agreement.

Legal Approval

The Authority requires certain right-of-way for the high-speed rail project and for public use in accordance with Public Utilities Code sections 185000, *et seq.*, and the Public Works Board (PWB) is authorized to acquire the property in accordance with Government Code section 15853. The high-speed rail project requires the relocation, construction, or removal of a portion of G Street to accommodate the relocation of the Fresno Rescue Mission. The Authority is contracting for the G Street Realignment, located within the City of Fresno, as a cost to cure for the relocation of the Mission necessary for the high-speed rail project. The Legal Office has confirmed the Authority’s legal ability and requirement to fund this work.

Budget and Fiscal Impact

This request does not impact the current year funding allocation but does have an offsetting impact to the Total Program Budget. This budget reallocation is a short-term solution needed to increase the City of Fresno contract for the G Street re-alignment work, and the CP1 Right-of-Way Acquisition budget balance will need to be reassessed for total funding needs as this program is at capacity.

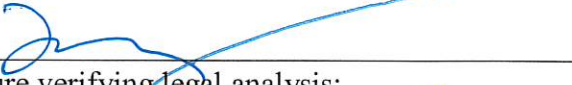
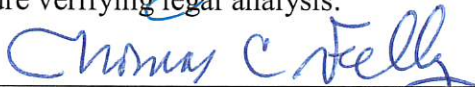
2017-18 Fiscal Year Budget Impact

Contract Name	Contract/Activity Number	Current FY Contract/Activity Budget	Budget Change	Funding Source
City of Fresno	HSR16-37	\$287,720.93	\$0	State funding
N/A	N/A	N/A	N/A	N/A

This item proposes to increase the HSR 16-37 City of Fresno contract budget by \$5,215,000 and to reduce the CP1 ROW Acquisition budget (FUT00-212 ROW Mitigation) by \$5,215,000 which is a net zero Total Program Budget impact. The result of this action will increase the HSR 16-37 City of Fresno contract budget to \$5,565,000 (\$350,000 + \$5,215,000) and reduce the CP1 ROW Acquisition budget to \$697,906,838 (\$703,121,838 - \$5,215,000), resulting in a net-zero overall Total Program Budget change.

Total Program Budget Impact

Contract Name	Contract/Activity Number	Current Total Program Contract/Activity Budget	Budget Change	Funding Source
City of Fresno	HSR16-37	\$350,000	\$5,215,000	State funding
CP1 ROW Acquisition	FUT00-212/ROW Mitigation	\$703,121,838	(\$5,215,000)	State funding

REVIEWER INFORMATION	
Reviewer Name and Title: Russell Fong, Chief Financial Officer	Signature verifying budget analysis: 
Reviewer Name and Title: Tom Fellenz, Chief Counsel	Signature verifying legal analysis: 

Recommendations

Staff recommends that the Board approve an amendment of \$5,215,000 to the City of Fresno for the G Street Re-Alignment (HSR 16-37) increasing to a total not to exceed amount of \$5,565,000. The additional funding will cover the scope of constructing the re-alignment of G Street and PG&E design reviews and construction. Additionally, it is recommended that the agreement completion date be extended to December 31, 2020.

Attachments

- Draft Resolution #HSRA 18-09