



City of Carson Report to Successor Agency

May 15, 2012
New Business Consent

SUBJECT: CONSIDER APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATES, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR PROJECT NO. 919: WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I 405 FREEWAY

Farrokh Abolfathi

Submitted by Farrokh Abolfathi
Acting Development Services General Manager

David C. Biggs

Approved by David C. Biggs
City Manager

THIS IS A JOINT AGENDA ITEM

I. SUMMARY

The plans, specifications and estimates (PS&E) for Project No. 919: Wilmington Avenue Interchange Modification at the I-405 Freeway, Federal No. HPLUL-5403(017), have been completed, and the project is now ready for construction (Exhibit No. 1). The original estimated cost for this project was \$29,570,000.00, but based on the most recent estimates, the cost will be \$25,500,000.00.

Staff requests that the Carson Successor Agency approve the PS&E and authorize staff to advertise this project for construction bids.

II. RECOMMENDATION

TAKE the following actions:

1. APPROVE the plans, specifications and estimates, and order the work for Project No. 919: Wilmington Avenue Interchange Modification at the I-405 Freeway.
2. AUTHORIZE payment in the amount of \$1,408,743.25 to the property owners as listed in the body of this report, to purchase the required right-of-way for Project No. 919: Wilmington Avenue Interchange Modification at the I-405 Freeway.
3. AUTHORIZE staff to advertise the work and call for construction bids for Project No. 919: Wilmington Avenue Interchange Modification at the I-405 Freeway, pending Caltrans' issuance of the "Authorization to Proceed with Construction."

III. ALTERNATIVES

1. DO NOT APPROVE the PS&E and call for bids.
2. TAKE another action the Carson Successor Agency deems appropriate. However, in accordance with federal and state regulations governing this public works project, if the city wishes to proceed with this federally funded project, the City of Carson is required to approve the PS&E, advertise the work and call for construction bids.

IV. BACKGROUND

The Wilmington Avenue / 223rd Street / I-405 freeway interchange modification project is listed in the city's Capital Improvement Program (CIP) for FY 2005/06. Wilmington Avenue essentially runs north/south and the I-405 freeway runs on a due east/west alignment at this location. Wilmington Avenue is an undercrossing and generally provides two lanes in each direction in the project vicinity. The southerly quadrant of the interchange is a standard diamond configuration. The northerly quadrant has a loop on-ramp and an off-ramp, both located in the northeast quadrant. A railroad track crosses 223rd Street and Wilmington Avenue south of the interchange, runs parallel to the I-405 freeway, and limits the opportunities for modifications in the south quadrants.

On September 5, 2006, the Agency Board approved a Professional Services Agreement with Parsons in the amount of \$1,804,200.00 to prepare the Project Report, Environmental Document, to obtain the project approval; and for the preparation of the PS&E for this project (Exhibit No. 2).

On November 8, 2006, the City Council adopted Resolution No. 06-145, approving cooperative agreement No. 07-4771 for the design phase of this project (Exhibit No. 3).

On December 4, 2007, the Agency Board approved the First Amendment to the Professional Services Agreement with Parsons to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$96,972.21(Exhibit No. 4).

On October 7, 2008, the Agency Board approved the Second Amendment to the Professional Services Agreement with Parsons to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$329,732.98 (Exhibit No. 5).

On February 17, 2009, the Agency Board approved a Professional Services Agreement with TCM Group, Inc., to provide Construction Management Services for this project for a negotiated fee not-to-exceed \$2,994,788.00, pending Caltrans' pre-award audit (Exhibit No. 6).

On December 15, 2009, the Agency Board approved the Third Amendment to the Professional Services Agreement with Parsons to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$179,652.93 (Exhibit No. 7).

On May 18, 2010, the City Council adopted Resolution No. 10-045, approving Cooperative Agreement No. 07-4861 for the construction phase of this project (Exhibit No. 8).

On November 16, 2010, the Agency Board approved the Fourth Amendment to the Professional Services Agreement with Parsons to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$98,866.40 (Exhibit No. 9).

On September 6, 2011, the City Council adopted Resolution of No. 11-109, declaring that public interest and necessity require acquisition of easements in portions the property known as Assessor Parcel Number (APN) No. 7315-040-001, and Resolution of No. 11-110, declaring that public interest and necessity require acquisition of easements in portions the property known as APN No. 7315-040-011 (Exhibit No. 10).

The completed PS&E indicates the exact right-of-way required for this project. The property owners, APN, and the compensation amount are as follows:

Property Owner	APN	Compensation Amount
Carson Estate Company	7328-001-009	\$61,000.00
Los Angeles County Flood Control	7328-009-905 7315-039-902 7315-039-906 7315-008-902 7315-031-900	712,500.00
Los Angeles County Sanitation District	7315-039-910 7315-039-913 7315-008-900 7315-006-900	160,400.00
Macland Investment (Chevron gas station)	7315-040-011 7315-040-800 7315-040-801	215,000.00
Tesoro South Coast Company (Shell gas station)	7315-040-001	*251,843.25
Watson Land Company	7315-008-020 7316-027-014	8,000.00
TOTAL		\$1,408,743.25

* Tesoro South Coast Company, owner of the shell gas station, did not agree with the city's offer amount, which was based on the appraised value of the required easement for this project. Subsequently, the City Attorney had to file "eminent domain" documents with the Superior Court of California. Since the follow-up negotiation did not result in an agreement with the property owner, and in order to avoid further delay in construction of this project and gain immediate possession of the property prior to the court decision, the law requires that the city transfers a fair market value, as indicated in the appraisal document, to the State Treasurer. The check in the amount of \$251,843.25 should be issued payable to the "Office of the State Treasurer" and delivered to the City Attorney's office for further processing. The final compensation depends upon the court decision and could be substantially higher than the original appraised value.

Approval of the PS&E by the City Council / Successor Agency Board will allow staff to submit the "Authorization to Proceed with Construction" to Caltrans. Caltrans' construction authorization, in the form of an E-76, and the execution of a Program Supplement Agreement to Administering Agency-State Master Agreement No. 07-5403R between the state and the city, will obligate up to \$4,000,000.00 in the Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) federal funds, \$712,500.00 in the Federal Interstate Maintenance Discretionary funds, and \$11,362,000.00 in the Metropolitan Transit Authority - 2007 Call for Projects state fund for the construction phase of this project. This project has \$16,074,500.00 of available federal and state funds.

The PS&E have been prepared by the city's consultant and reviewed by Caltrans and the Acting City Engineer.

The approximate timeline and the status of this project is as follows:

Approval of PS&E	May 15, 2012
Caltrans issuance of "Authorization to Proceed with Construction" in the form of an E-76	July 2012
Advertise Notice Inviting Bids	July 2012
Award of Construction Contract	September 2012
Start of construction	November 2012
Completion of construction	June 2015

May 15, 2012

V. FISCAL IMPACT

This is a multi-year project for which funds have been and will be budgeted each fiscal year in the Merged and Amended Redevelopment Project Area/Successor Agency budgets in account no. 82-70-710-985-8020/0091901.

As of the approval of the FY 2008/09 budget, the total estimated cost of this project was \$27,570,000.00. However, the total project cost including design, construction, construction management, and the right-of-way acquisition cost is now estimated to be \$25,500,000.00. The exact amount of the additional funding required will be determined when construction bids are received. Additional funding will come from either federal funds which have already been requested or from the Successor Agency fund balance. The project is funded by the Successor Agency, the state funded Metropolitan Transportation Authority - 2007 Call for Projects, the SAFETEA-LU, and the Federal Interstate Maintenance Discretionary funds.

The project funding sources and amounts are as follows:

Federal fund – SAFETEA-LU	\$4,000,000.00
Federal Interstate Maintenance Discretionary funds	712,500.00
State fund, MTA – 2007 Call for Projects	11,362,000.00
Successor Agency	9,428,000.00
TOTAL	\$25,502,500.00

VI. EXHIBITS

1. Location Map. (pg. 7)
2. Minutes, September 5, 2006, Item No. 12. (pg. 8)
3. Minutes, November 8, 2006, Item No. 13. (pg. 9)
4. Minutes, December 4, 2007, Item No. 9. (pg. 10)
5. Minutes, October 7, 2008, Item No. 9. (pg. 11)
6. Minutes, February 17, 2009, Item No. 7. (pg. 12)
7. Minutes, December 15, 2009, Item No. 3. (pg. 13)
8. Minutes, May 18, 2010, Item No. 9. (pg. 14)
9. Minutes, November 16, 2010, Item No. 2. (pg. 15)
10. Minutes, September 6, 2011, Item No. 27. (pgs. 16-17)

May 15, 2012

G:\ENGINEERING DIVISION\PROJECTS\919 WILMINGTON-I405\AGENDAS\05-15-12 CSA Project 919 Approve PS&E.docx

Prepared by: MASSOUD GHIAM, P.E., Senior Civil Engineer

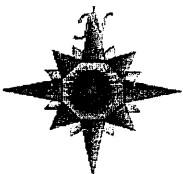
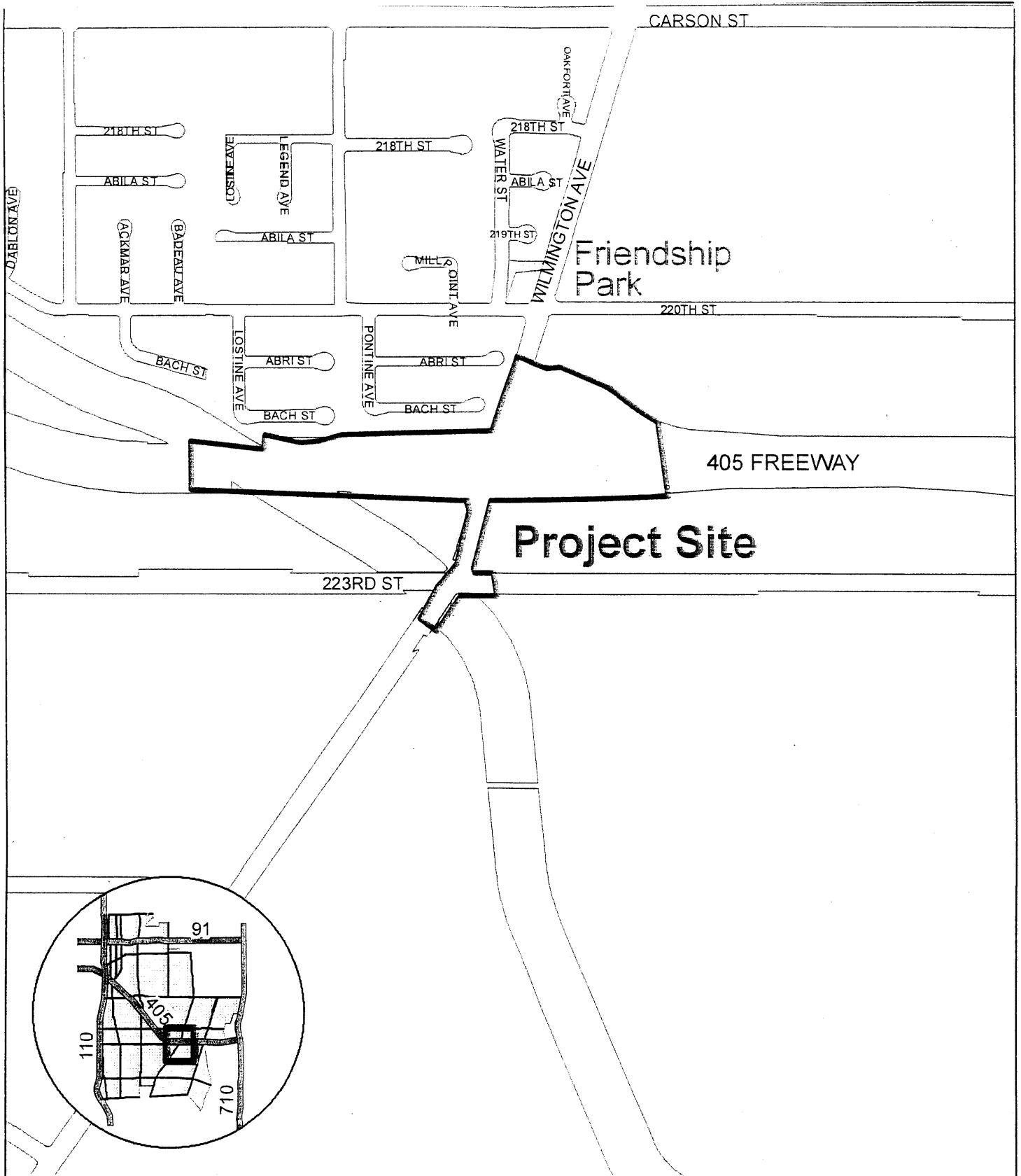
TO: Rev04-23-12

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

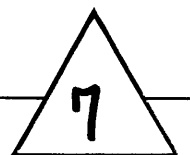
Action taken by Successor Agency

Date _____ Action _____



**Location Map
Project No. 919
Wilmington Avenue Interchange Modification
at the I-405 Freeway Project**

EXHIBIT NO. 1



ITEM NO. (12) APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH PARSONS TO PREPARE PROJECT REPORT, ENVIRONMENTAL DOCUMENTS, PLANS, SPECIFICATIONS AND ESTIMATES - PROJECT NO. 919: WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405 FREEWAY (DEVELOPMENT SERVICES)

Agency Member Williams felt that it was important to be proactive and emphasize that the consultant find work for someone in the Carson community because even a training program would provide an opportunity for someone. He clarified that he was referring to having African-American people involved in projects.

Chairman Dear suggested that Executive Director Groomes and Development Services General Manager Rollinger discuss the processes and procedures with Agency Member Williams to ensure that the City does not indirectly contribute to unfair agreements or practices of contractors paid by the City of Carson.

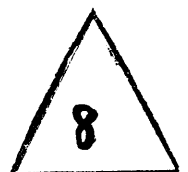
RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE the Agreement for Professional Services with PARSONS to prepare the Project Report, Environmental Document (ED), Geometric Approval Drawings (GAD), to obtain the Project Approval (PA); and for the preparation of Construction Plans, Specifications & Estimates (PS&E) for Project No. 919: Wilmington Avenue Interchange Modification at the I-405 Freeway; for a negotiated fee not to exceed \$1,804,200.00, pending Caltrans' pre-award audit (Exhibit No. 1).
2. AUTHORIZE the Chairman to execute the professional services agreement, after Caltrans' pre-award audit, and following approval as to form by the Agency Counsel.

ACTION: It was moved to Approve the staff recommendation on motion of Williams, seconded by Dear and unanimously carried by the following vote:

Ayes: Chairman Dear, Chairman Pro Tem Ruiz-Raber, Agency Member Santarina, Agency Member Williams, and Agency Member Gipson
Noes: None
Abstain: None
Absent: None



**ITEM NO. (13) RESOLUTION NO. 06-145: APPROVING THE COOPERATIVE
AGREEMENT NO. 07-4771 FOR THE WILMINGTON AVENUE
INTERCHANGE MODIFICATION AT THE I-405 FREEWAY
(DEVELOPMENT SERVICES)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 06-145, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING THE COOPERATIVE AGREEMENT NO. 07-4771 FOR THE WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405 FREEWAY."

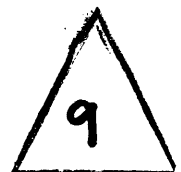
ACTION: This item was Approved on the New Business Consent Calendar on motion of Williams, seconded by Ruiz-Raber and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Santarina, Council Member Williams, and Council Member Gipson

Noes: None

Abstain: None

Absent: None



ITEM NO. (9) APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARSONS TRANSPORTATION GROUP INC. FOR PROJECT NO. 919: WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I 405 FREEWAY (DEVELOPMENT SERVICES)

This item was heard after Item No. 12.

RECOMMENDATION for the Redevelopment Agency:

Development Services General Manager Rollinger summarized the staff report and recommendation. He subsequently reported that this may or may not be the last amendment and that the Agency may have to look at change orders down the line.

City Manager/Executive Director Groomes briefly described Project No. 919 as a significant project in terms of improvement and cost. He emphasized that no general funds would be used.

TAKE the following actions:

1. APPROVE the First Amendment to the Professional Services Agreement with Parsons Transportation Group Inc. to reflect an increase in the scope of work, for a negotiated fee not-to-exceed \$96,972.21.
2. AUTHORIZE the Agency Chairman to execute the First Amendment to the Professional Services Agreement following approval as to form by the Agency Counsel.

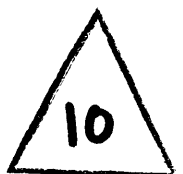
ACTION: It was moved to Approve staff recommendation Nos. 1 and 2 on motion of Williams, and seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Chairman Pro Tem Santarina,
 Council/Agency Member Williams, Council/Agency Member Gipson, and Council
 Member Davis-Holmes

Noes: None

Abstain: None

Absent: None



**ITEM NO. (9) CONSIDERATION OF THE SECOND AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH PARSONS
TRANSPORTATION GROUP INC. FOR PROJECT NO. 919:
WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405
FREEWAY (DEVELOPMENT SERVICES)**

RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE the Second Amendment to the Professional Services Agreement with Parsons Transportation Group Inc. to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$329,732.98.
2. AUTHORIZE the Agency Chairman to execute the Second Amendment to the Professional Services Agreement following approval as to form by the Agency Counsel.

ACTION: It was moved to Approve staff recommendation Nos. 1 and 2 on motion of Dear, seconded by Williams and unanimously carried by the following roll call vote:

Ayes: Chairman Dear, Chairman Pro Tem Gipson, Agency Member Santarina, Agency
Member Williams, and Agency Member Davis-Holmes
Noes: None
Abstain: None
Absent: None



**ITEM NO. (7) CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH
TCM GROUP, INC. TO PROVIDE CONSTRUCTION MANAGEMENT
SERVICES FOR PROJECT NO. 919: WILMINGTON AVENUE
INTERCHANGE MODIFICATION AT THE I-405 FREEWAY
(DEVELOPMENT SERVICES)**

THIS IS A JOINT AGENDA ITEM WITH COUNCIL ITEM NO. 11

This item was heard jointly with Council Item No. 11.

City Manager/Executive Director Groomes summarized the staff report and recommendation.

RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE a Professional Services Agreement with TCM Group, Inc. to provide Construction Management Services for Project No. 919: Wilmington Avenue Interchange Modification at the I 405 freeway; for a negotiated fee not-to-exceed \$ 2,994,788.00, pending Caltrans' pre-award audit.
2. AUTHORIZE the Chairman to execute the Professional Services Agreement, after Caltrans' pre-award audit, and following approval as to form by the Agency Counsel.

ACTION: It was moved to Approve staff recommendation Nos. 1 and 2 for Council Item No. 11 and Agency Item No. 7 on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Chairman Pro Tem Gipson, Council/Agency Member Santarina, Council/Agency Member Williams, and Council/Agency Member Davis-Holmes

Noes: None

Abstain: None

Absent: None



**ITEM NO. (3) CONSIDERATION OF THE THIRD AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH PARSONS
TRANSPORTATION GROUP INC. FOR PROJECT NO. 919:
WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405
FREEWAY (DEVELOPMENT SERVICES)**

RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE the Third Amendment to the Professional Services Agreement with Parsons Transportation Group Inc. to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$179,652.93.
2. AUTHORIZE the Agency Chairman to execute the Third Amendment to the Professional Services Agreement following approval as to form by the Agency Counsel.

ACTION: Item No. 3 was approved on the New Business Consent Calendar on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Chairman Dear, Chairman Pro Tem Davis-Holmes, Agency Member Gipson, and
 Agency Member Ruiz-Raber
Noes: None
Abstain: None
Absent: Agency Member Santarina



**ITEM NO. (9) CONSIDERATION OF RESOLUTION NO. 10-045: APPROVING
COOPERATIVE AGREEMENT NO. 07-4861 FOR THE WILMINGTON
AVENUE INTERCHANGE MODIFICATION AT THE I-405 FREEWAY
(DEVELOPMENT SERVICES)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 10 045, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING COOPERATIVE AGREEMENT NO. 07 4861 FOR THE WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I 405 FREEWAY."

ACTION: Council Item No. 9 was approved on the New Business Consent Calendar on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Chairman Pro Tem Santarina,
Council/Agency Member Gipson, Council/Agency Member Davis Holmes, and
Council/Agency Member Ruiz-Raber

Noes: None

Abstain: None

Absent: None



**ITEM NO. (2) CONSIDERATION OF THE FOURTH AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH PARSONS
TRANSPORTATION GROUP, INC. FOR PROJECT NO. 919:
WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405
FREEWAY (DEVELOPMENT SERVICES)**

RECOMMENDATION for the Redevelopment Agency:

TAKE the following actions:

1. APPROVE the Fourth Amendment to the Professional Services Agreement with Parsons Transportation Group, Inc. to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$98,866.40.
2. AUTHORIZE the Agency Chairman to execute the Fourth Amendment to the Professional Services Agreement following approval as to form by the Agency Counsel.

ACTION: Item No. 2 was approved on the New Business Consent Calendar on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Chairman Dear, Vice Chairman Santarina, Agency Member Davis-Holmes, and
 Agency Member Gipson
Noes: None
Abstain: None
Absent: Agency Member Ruiz-Raber



ITEM NO. (27) CONSIDERATION OF RESOLUTION NO. 11-109 AND RESOLUTION NO. 11-110, ADOPTING RESOLUTIONS OF NECESSITY FOR PROJECT NO. 919: WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405 FREEWAY (CITY MANAGER)

Item No. 27 was heard after the Approval of Agency Minutes at 7:40 P.M.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

Deputy City Attorney Soltani reported on the findings.

Upon inquiry by City Clerk Kawagoe, City Attorney Wynder clarified that this item could be heard as a Public Hearing since it was noticed as a hearing.

Public Hearing

Mayor Dear declared the Public Hearing open for **CONSIDERATION OF RESOLUTION NO. 11-109 AND RESOLUTION NO. 11-110, ADOPTING RESOLUTIONS OF NECESSITY FOR PROJECT NO. 919: WILMINGTON AVENUE INTERCHANGE MODIFICATION AT THE I-405 FREEWAY.**

City Clerk's Report

City Clerk Kawagoe reported that notice of the Public Hearing had been given pursuant to applicable law, including but not limited to the timely notice to the property owners, Macland Investments, Inc., c/o Moti Lal Balyan, 5960 Canoga Avenue, Woodland Hills, California 91367, and Tesoro South Coast Company, LLC, c/o Collin Foutz, 5230 Las Virgenes Road, Ste. 200, Calabasas, California 91302, via U.S. Mail and confirmed by staff; postings as required by law; and other mailings as requested by individuals and organizations. The affidavits attesting to mailing and publishing such notice were on file in the City Clerk's Office. No written communications were received.

Mayor Dear directed that all affidavits of notice be made part of the record.

Staff Report

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

Administration of Oath

Mayor Dear requested that all persons wishing to testify to stand and take the Oath.

There being no persons wishing to testify, Mayor Dear declared the Public Hearing closed.

RECOMMENDATION for the City Council:

TAKE the following actions:



1. WAIVE further reading and ADOPT Resolution No. 11-109; "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF FEE INTERESTS AND A TEMPORARY CONSTRUCTION EASEMENT IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 7315-040-011."
2. WAIVE further reading and ADOPT Resolution No. 11-110; "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF FEE INTERESTS AND TEMPORARY CONSTRUCTION EASEMENT IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 7315-040-001."

ACTION: WITH FURTHER READINGS WAIVED, Resolution Nos. 11-109 and 11-110 were PASSED, APPROVED, and ADOPTED, as read by titles only, on motion of Santarina and seconded by Davis-Holmes.

During discussion of the motion, Mayor Pro Tem Ruiz-Raber discussed impact on businesses.

The motion was unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes:	None
Abstain:	None
Absent:	None

