

# LAST MINUTE AGENDA INFORMATION 2

## 07/17/13 Special Meeting

*(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the July 17, 2013 Regular meeting.)*

**ITEM NO.**      **DESCRIPTION**

<b>2.10</b>	<b>RESOLUTION NO. 2013-7355 APPROVING CHANGE ORDER NO. 1, CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101. (0650-33 &amp; 0750-30)</b> a. Revised Staff Report
<b>6.8</b>	<b>HISTORIC REPOSITORY. (0160-50)</b> a. Letter of support submitted by Diane Rose





STAFF REPORT  
CITY OF IMPERIAL BEACH

2013 JUL 17 AM 10:12

CITY MANAGER &  
CITY CLERK OFFICES

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER *[Signature]*

MEETING DATE: JULY 17, 2013

ORIGINATING DEPT.: PUBLIC WORKS DEPARTMENT

SUBJECT: RESOLUTION NO 2013-7355 APROVING CHANGE ORDER NO 1, CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101-AND APPROPRIATING \$4,500 UNDESIGNATED GAS TAX RESERVE TO CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101

**BACKGROUND:**

On April 17, 2013, City Council adopted Resolution No. 2013-7321 awarding a contract to PAL General Engineering, Inc. for the construction of the CDBG FY 12/13 Imperial Beach Blvd. Pedestrian Crosswalk Project, CIP No. S13-101 at a bid price \$97,813.50. PAL General Engineering, Inc. commenced work on the construction Monday, June 10, 2013. The construction work was scheduled to be performed during the South Bay Union School District and Mar Vista High School summer break, June 10, 2013 to July 21, 2013.

**DISCUSSION:**

During construction, it was discovered that the drawings for the work did not properly address the topography of the street (vehicle lanes) relative to the new crosswalk elements. The elevation between the street and the new curb and gutter and ADA compliant ramps ranged from approximately 2 inches on the south side to 6 inches on the north side. The reconstruction of the street for this large of an elevation difference was not included in the contract bid. Thus staff directed the City Engineer to draft a new scope of work that will bring the street topography coincident with the new crosswalk improvements. The additional cost for the construction of the new work is \$32,689.20.

There are insufficient CDBG funds to cover this change order and other associated administrative costs; and the change order represents 33 percent of the contract value which exceeds the City Manager's authority except in emergencies.

I.B.M.C. Chapter 3.04.220 reads: "Change order procedures for contracts covering public works construction projects.

A. Change orders for an amount of less than five thousand dollars shall be approved by the department director overseeing the project.

B. The city manager may approve any change order for five thousand dollars or more with the following limitations: ten percent of the project contract value, provided sufficient project appropriations exist.

C. The city council shall approve any change order for amounts that exceed any of the limitations described in subsection B of this section. (Ord. 758 § 2, 1988)"

In order to ensure a safe crossing in the construction zone before the students return to classes on Monday, July 22, 2013, the City Manager approved the change order as an urgent action. Staff is requesting City Council affirm the City Manager's approval of Change Order No. 1 to the CDBG FY 12/13 Imperial Beach Blvd. Pedestrian Crosswalk Project, CIP No. S13-101 contract with PAL General Engineering, Inc.

This project was to be funded with the CDBG funds which totaled \$134,251. However with Change Order No. 1 added to the cost, it is estimated the total project cost of the construction and administration will be \$138,502.70. Thus, CDBG allocation is short \$4,251.70. Staff recommends that City Council consider appropriating \$4,500 of Undesignated Gas Tax Reserve to cover the remainder of the project costs. There is sufficient Undesignated Gas Tax Reserve to cover this new appropriation.

**ENVIRONMENTAL DETERMINATION:**

A notice of exemption was filed with the State Clearing House. This project is a Categorical Exemption per section 15301.

**FISCAL IMPACT:**

Revenue:

CDBG funds awarded to the City for this project	\$134,251.00
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Expenditures:

Project Construction	\$ 97,813.50
Change Order No. 1 to Project Construction	\$ 32,689.20
KOA Construction Administration	\$ 3,000.00
Estimated Project Administration	\$ 5,000.00
Total Estimated expenditures \$138,502.70	

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Adopt the attached resolution.
3. Affirm the City Manager's approval of Change Order No. 1 in the amount of \$32,689.20.
4. Appropriate \$4,500 of Undesignated Gas Tax Reserve to cover the remainder of the project costs

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

Attachments:

1. Resolution No. 2013-7355

**RESOLUTION NO. 2013-7355**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APROVING CHANGE ORDER NO 1, CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101 - AND APPROPRIATING \$4,500 UNDESIGNATED GAS TAX RESERVE TO CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101**

**WHEREAS**, on April 17, 2013, City Council adopted Resolution No. 2013-7321 awarding a contract to PAL General Engineering, Inc. for the construction of the CDBG FY 12/13 Imperial Beach Blvd. Pedestrian Crosswalk Project, CIP No. S13-101 at a bid price \$97,813.50; and

**WHEREAS**, PAL General Engineering, Inc. commenced work on the construction Monday, June 10, 2013; and

**WHEREAS**, the construction work was scheduled to be performed during the South Bay Union School District and Mar Vista High School summer break, June 10, 2013 to July 21, 2013; and

**WHEREAS**, during construction, it was discovered that the drawings for the work did not properly address the topography of the street (vehicle lanes) relative to the new crosswalk elements; and

**WHEREAS**, staff directed the City Engineer to draft a new scope of work that will bring the street topography coincident with the new crosswalk improvements; and

**WHEREAS**, the additional cost for the construction of the new work is \$32,689.20; and

**WHEREAS**, there are insufficient CDBG funds to cover this change order and other associated administrative costs; and the change order represents 33 percent of the contract value which exceeds the City Manager's authority except in emergencies; and

**WHEREAS**, this project was to be funded with the CDBG funds which totaled \$134,251; and

**WHEREAS**, with Change Order No. 1 added to the cost, it is estimated the total project cost of the construction and administration will be \$138,502.70 leaving the CDBG allocation short \$4,251.70 of funding the entire project; and

**WHEREAS**, staff recommends that City Council consider appropriating \$4,500 of Undesignated Gas Tax Reserve to cover the remainder of the project costs; and

**WHEREAS**, there is sufficient Undesignated Gas Tax Reserve to cover this new appropriation; and

**WHEREAS**, I.B.M.C. 3.04.220.B states, "the city manager may approve any change order for five thousand dollars or more with the following limitations: ten percent of the project contract value, provided sufficient project appropriations exist;" and

**WHEREAS**, I.B.M.C. 3.04.220.C states, "the city council shall approve any change order for amounts that exceed any of the limitations described in subsection B of this section; and

**WHEREAS**, in order to ensure a safe crossing in the construction zone before the students return to classes on Monday, July 22, 2013, the City Manager approved the change order as an urgent action; and

**WHEREAS**, staff is requesting City Council affirm the City Manager's approval of Change Order No. 1 to the CDBG FY 12/13 Imperial Beach Blvd. Pedestrian Crosswalk Project, CIP No. S13-101 contract with PAL General Engineering, Inc.; and

**WHEREAS**, staff recommends that City Council consider appropriating \$4,500 of Undesignated Gas Tax Reserve to cover the remainder of the project costs; AND

**WHEREAS**, there is sufficient Undesignated Gas Tax Reserve to cover this new appropriation.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The legislative body affirms the City Manager's approval of Change Order No. 1 to the CDBG FY 12/13 Imperial Beach Blvd. Pedestrian Crosswalk Project, CIP No. S13-101 contract with PAL General Engineering, Inc.
3. The legislative body appropriates \$4,500 Undesignated Gas Tax Reserve to cover the remainder of the project costs.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 17th day of July 2013, by the following vote:

**AYES:**           **COUNCILMEMBERS:**  
**NOES:**           **COUNCILMEMBERS:**  
**ABSENT:**       **COUNCILMEMBERS:**

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, MMC**  
**CITY CLERK**

July 16, 2013

2013 JUL 17 AM 9: 27

CITY MANAGER &  
CITY CLERK OFFICES

To: Honorable Mayor Jim Janney

Dear Mayor  Janney;

I am writing to you today in support of Mayor Pro Tem Lorie Braggs' request to establish an official repository or archive, for items of historical significance to Imperial Beach.

Imperial Beach has such a rich and certainly at times, colorful history – The 10<sup>th</sup> US Calvary, the Pioneers of Surfing, the Helicopter Capital of the World and the Edwards Wave Machine - just to name a few. It would be a great service to the community to not only preserve, but to have the ability to share, the photos and artifacts of our heritage and unique "IB" Culture.

In doing some research, I have discovered that historical and heritage museums provide educational opportunities in partnership with the local schools as well as a draw for visitors and tourists. I have also discovered that Imperial Beach is the only city in San Diego County *not* to have some kind of historical archive. Of course, there would be other steps to take and future funding to consider before the actual establishment of a museum or historical society. However, having a safe and secure location for donations of artifacts and photos, under the authority of the City of Imperial Beach, would be an exciting first step.

Your support of Mayor Pro Tem Bragg's request regarding establishing such a repository would be most appreciated. On a personal note; I would be happy to volunteer to assist in any way I can.

Sincerely;

[Signature on File](#)



 Diane Rose

[Address on File](#)



Imperial Beach CA 91932

Cc: Council members  
City Manager

Date: 7-17-13 Item No. 68  
Last Minute Agenda Information