



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: MARCH 3, 2015

ITEM NUMBER: CC-9

**SUBJECT: TIME EXTENSION REQUEST FOR THE ARLINGTON DRIVE BIOSWALE AND DRY WEATHER DIVERSION PROJECT**

**DATE: FEBRUARY 19, 2015**

**FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION**

**PRESENTATION BY: ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR**

**FOR FURTHER INFORMATION CONTACT: FARIBA FAZELI, CITY ENGINEER,  
(714) 754-5335**

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## **RECOMMENDATION:**

Approve a request for a twenty-four month time extension request from the Orange County Transportation Authority (OCTA) for the Arlington Drive Bioswale and Dry Weather Diversion Project.

## **BACKGROUND:**

On April 14, 2014, the City was successful in capturing \$1,690,000 in Environmental Cleanup funds to design and construct the Arlington Drive Bioswale and Dry Weather Diversion Project. Funding for this grant program is provided by the County of Orange one-half cent sales tax for transportation-related projects. The grant deadline for award of the construction contract is June 30, 2015.

## **ANALYSIS:**

The project proposes construction of a linear park-like area with a vegetated bioswale and a multi-purpose bike trail along the south side of Arlington Drive from Newport Frontage Road to Fairview Road. Where feasible, Arlington Drive will be narrowed to two lanes, one lane on each direction. The removal of asphalt will eliminate runoff caused by the impervious roadway, collect in the bioswale, and infiltrate into the soil.

On July 1, 2014, the City Council awarded a Professional Services Agreement to Kabbara Engineering to prepare the construction documents. To date, the survey work and geotechnical investigation has been completed, and a preliminary layout of the proposed multi-purpose bike trail and landscaping have been prepared.

Since this project is adjacent to the Orange County Fairgrounds, Costa Mesa High School, Davis Elementary School, and is within the Mesa Del Mar neighborhood, several public meetings are required to gather input from the affected stakeholders. Currently, staff is planning to present this project to the OC Fairgrounds Board in their March meeting, followed by a meeting with NMUSD's representatives in April, Mesa del Mar Neighborhood in May, and the Parks and Recreation Commission in June.

The grant deadline for the award of the construction contract is June 30, 2015. OCTA will allow a **one-time** delay request of up to 24 months.

It is expected that the Final Engineering for this project is to be completed by September 2015 and the construction contract to be awarded by the City Council by January 2016. Therefore, a six month delay is more realistic. However, since OCTA will only allow a one-time delay request, it is recommended to solicit the full 24-month time extension in the event of unforeseen circumstances which may cause additional delays.

**ALTERNATIVES CONSIDERED:**

Council could choose to not approve the full two-year time extension request. However, this alternative is not recommended as it would jeopardize the grant funding.

**FISCAL REVIEW:**

The total cost for this project is estimated at \$2,600,000. The grant amount is \$1,690,000 and the City's share is \$910,000. In Fiscal year 2014-2015 the City Council allocated \$2.09 million (\$400,000 from Drainage Fees and \$1.69 million recognizing the grant from Measure M2 Funds) towards the design and construction of this project. In the upcoming Fiscal Year, staff will be requesting the remaining \$510,000 from Drainage Fees needed for the project.

**LEGAL REVIEW:**

No legal review is required.

**CONCLUSION:**

Staff was able to secure an M2 Environmental Cleanup, Tier 2 grant in the amount of \$1.69 million from OCTA. The grant deadline for award of the construction contract is June 30, 2015. In order to conduct the required public meetings a time extension is required.

Therefore, it is recommended that the City Council approve a twenty-four month time extension request from the Orange County Transportation Authority (OCTA) for the Arlington Drive Bioswale and Dry Weather Diversion Project.

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**ERNESTO MUNOZ**  
Public Services Director

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**FARIBA FAZELI**  
City Engineer

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