



CITY COUNCIL AGENDA REPORT

MEETING DATE: OCTOBER 6, 2015

ITEM NUMBER: **CC-9**

SUBJECT: FAIRVIEW PARK NORTH BLUFF TRAIL REALIGNMENT – CHANGE ORDER NO. 3

DATE: SEPTEMBER 24, 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

RECOMMENDATION:

Approve Contract Change Order No. 3 in the amount of \$82,727.00 and authorize the Chief Executive Officer to execute Contract Change Order No. 3 (Attachment 1).

BACKGROUND:

The Fairview Park Master Plan was approved in March of 1998 and provides the framework for future park improvements which can be constructed in an orderly and consistent manner.

On March 21, 2012, the City Council awarded a contract to Kabbara Engineering, 121 North Harwood Street, Orange, CA 92866-1626, in the amount of \$160,387.00 for the design of master-planned improvements at the park, including the Fairview Park Bike Trail Improvement project. Two change orders have been approved to date to extend the contract time and to add electrical engineering services not included in the original scope of work.

On August 27, 2015, the Parks and Recreation Commission reviewed the proposed realignment of the existing multipurpose trail that traverses the north bluff. The Commission concluded that the proposed realignment is consistent with the Fairview Park Master Plan.

On September 15, 2015, the City Council also reviewed the proposed realignment and upheld the Parks and Recreation Commission action determining that the proposed realignment is consistent with the Fairview Park Master Plan.

ANALYSIS:

The existing paved trail that connects the upper mesa of Fairview Park to Lower Fairview Park, Talbert Nature Preserve, and the network of trails along the Santa Ana River and Greenville-Banning Channel was constructed in 1988. The downhill segment that traverses the north bluff is experiencing slope creep, a condition that due to compressible fill and steepened slopes, is allowing the existing bike trail to deform and is exhibiting tension cracks parallel to the slope (Attachment 2). In addition, the vertical alignment along the same segment exceeds the maximum grade for multipurpose trails.

Kabbara and their sub-consultants have completed detailed geotechnical and topographic surveys and developed profiles and cross sections for the reconstruction of the slope and trail. Their analysis indicates that in order to properly re-engineer the slope and reconfigure the grade of the existing trail to be less than 5%, retaining walls need to be constructed which require extensive grading. This grading encroaches into a federally-listed archaeological site.

The proposed new alignment (Attachment 3) follows a path that requires minimal grading, is located outside the core area of the archaeological site (CA-ORA-58) and provides an ADA-accessible connection to Lower Fairview Park trails and amenities. In addition, the proposed trail realignment is within the area that has been identified for restoration (Attachment 4) and for which the City has received a State grant. Therefore, it is also proposed to include the design and construction of landscape and temporary irrigation improvements to remove non-native plants and plant California native species.

Kabbara has submitted the following change order proposal for additional work to be performed on the alternate bike trail alignment and for the restoration of habitat through the canyon and north slopes and includes:

- Field survey for site specific design elevations
- Update topographic base map
- Preliminary alignment study, final precise grading plan, paving and local drainage plan including details and typical sections;
- Preliminary and final storm drain design, including bioswale improvement plans, hydrology and hydraulics;
- Landscape and irrigation plans for the restoration of the canyon and north bluff area;
- Preliminary and final plans and specifications;
- Preliminary and final opinion of probable construction costs;
- Preparation of exhibits of the proposed improvements as needed to support environmental documentation.

The proposed additional fee for these services is \$82,727.00. Pursuant to Administrative Regulation No. 1.5, Contract Administration Policy, City Council approval is required for consultant services change orders that exceed 20% of the original contract amount.

The total additional cost of \$82,727.00 is 51.6% of the original contract. Therefore, approval of Change Order No. 3 (Attachment 1) by the City Council is being requested. If approved, the total for all change orders to date will increase the original contract amount to \$243,114.00.

The environmental phase for this project is still on-going and will be amended to reflect the new alignment.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be to not approve the proposed change order, and perform the engineering work with City staff. Due to the volume of work and the large number of projects currently being handled by the Engineering Division, a significant delay in implementing this project would be experienced if staff were to perform the engineering in-house. Delays are estimated to be from six to twelve months which will jeopardize the grant for this project.

FISCAL REVIEW:

The Public Services Department captured grant funding in the amount of \$835,959 from the Bicycle Corridor Improvement Program and \$200,000 from the State of California Habitat Conservation Fund Trails for this project. City Council recognized the grant in the amount of \$835,959 and allocated \$750,000 in matching funds for this project in Fiscal Year 2013-2014. Thus, sufficient funding is

currently available for this project to cover the proposed change order and no additional appropriations are needed at this time.

LEGAL REVIEW:

There is no legal review required for this item.

CONCLUSION:

The consultant has evaluated topographic surveys and geotechnical recommendations for the reconstruction of the existing multipurpose trail and the stabilization of the slope at the north end of the project, and concluded that retaining walls and extensive grading will be required. A realignment of the trail was approved as an alternative approach to reduce environmental impacts and this required additional services beyond the original contract scope of work. A change order will be needed to pursue an alternate bike trail alignment and habitat restoration; therefore, staff is recommending that the City Council approve Change Order No. 3 in the amount of \$82,727.00.

ERNESTO MUNOZ
Public Services Director

FARIBA FAZELI
City Engineer

- ATTACHMENTS:
1. [Change Order No. 3](#)
 2. [Pictures of Existing Conditions](#)
 3. [Alternate Bike Trail Alignment](#)
 4. [Proposed Habitat Restoration Area](#)

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