



# STAFF REPORT

DATE: 11/20/2024  
TO: Honorable Mayor and City Council Members  
FROM: Public Works Department

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**2024-139**

## REQUEST FOR CITY COUNCIL ACTION

### **SUBJECT:**

APPROVE THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH FALCON ENGINEERING SERVICES, INC., THE THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS & COMPANY, INC., THE FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC., AND THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH RAILPROS FIELD SERVICES, INC. FOR THE MCKINLEY STREET GRADE SEPARATION, CAPITAL IMPROVEMENT PROJECT NO. 2012-01

### **EXECUTIVE SUMMARY:**

This staff report asks for the City Council to approve various amendments to professional services agreements for the McKinley Street Grade Separation project. As a result of unforeseen circumstances such as delays from the bridge fabrication process, additional right of way services, and coordination with other agencies needed to support construction of the project, additional design, construction management and inspection, program project management, and railroad flagging services are needed to support current construction activities through completion and close-out.

### **RECOMMENDED ACTION:**

That the City Council:

- a. Approve the Second Amendment to the Professional Services Agreement with Falcon Engineering Services, Inc. to increase the total compensation by \$2,933,461 for a total agreement amount of \$13,428,082, allow for increased hourly rates for the remaining term, and extend the agreement term to December 31, 2026, to provide continued project management services through construction completion and closeout for the McKinley Street Grade Separation, Project No. 2012-01.
- b. Authorize the City Manager, or his designee, to execute the Second Amendment to the Professional Services Agreement with Falcon Engineering Services, Inc. and issue a change order for \$2,933,461.
- c. Approve the Third Amendment to the Professional Services Agreement with Mark Thomas and Company, Inc. to increase the total compensation by \$445,280 for a total agreement amount of \$4,103,565, allow for increased hourly rates for the remaining term, and extend the agreement term to December 31, 2026, to provide continued program management services through construction completion and project closeout for the McKinley Street Grade Separation, Project No. 2012-01.
- d. Authorize the City Manager, or his designee, to execute the Third Amendment to the Professional Services Agreement with Mark Thomas and Company, Inc. and issue a change order for \$445,280.
- e. Approve the Fifth Amendment to the Professional Services Agreement with Biggs Cardosa Associates, Inc. to increase the total compensation by \$345,710 for a total agreement amount of \$13,819,429, allow for increased hourly rates for the remaining term, and extend the agreement term to December 31, 2026, to provide continued design and construction support services through completion for the McKinley Street Grade Separation, Project No. 2012-01.
- f. Authorize the City Manager, or his designee, to execute the Fifth Amendment to the Professional Services Agreement with Biggs Cardosa Associates, Inc. and issue a change order for \$345,710.
- g. Approve the First Amendment to the Professional Services Agreement with RailPros to increase the total compensation by \$300,000 for a total agreement amount of \$600,000 and extend the agreement term to December 31, 2025, to provide continuing necessary flagging services for the McKinley Street Grade Separation, Project No. 2012-01.
- h. Authorize the City Manager, or his designee, to execute the First Amendment to the Professional Services Agreement with RailPros Field Services, Inc. and issue a change order for \$300,000 with RailPros Field Services, Inc.

## **BACKGROUND & HISTORY:**

The City of Corona is nearing completion of the McKinley Street Grade Separation Project (Project). The Project includes the construction of a 4-lane overhead grade separation with pre-cast panel/mechanically stabilized earth retaining wall systems over the Burlington Northern Santa Fe Railway (BNSF) railroad crossing and Arlington Channel south of Sampson Avenue. Additional improvements include loop on-ramp, slip on-ramp, new loop road and modifications to the State Route 91 eastbound off-ramp. The Project has been primarily funded by State Senate Bill 132, along with several other state and local funding sources.

As a result of the unforeseen delays in the bridge fabrication process, the current schedule for substantial completion is anticipated to occur in the second quarter of 2025. The tentative schedule is contingent on weather conditions, potential impacts during the winter construction moratorium for work with BNSF and Caltrans' right of way, and any unforeseen issues that could be encountered during the final phases of construction.

Upon completion of the Project, the various project funds will require close-out documentation for miscellaneous acquisition of rights of way needed for the project, construction management and oversight, and project administrative needs to each agency administering Project funds. The City's Project team estimates closeout and final support to occur through December 31, 2026. The recommended actions in this staff report will provide continuing project management and support services necessary through substantial completion and Project closeout.

#### **ANALYSIS:**

The additional services from Falcon will include construction management and inspection services through Project completion, close-out documentation in relation to all construction items (bid information, requests for information/clarification, change orders, work order directives, inspection forms, submittal logs backup information, etc.). The additional services from Mark Thomas will include program management support through completion of substantial construction completion, the remaining property acquisition efforts, and supporting documentation/services for miscellaneous funds and closeout documentation. The additional services from BCA will provide continuing design support services through completion, including review of substitutions and specialty submittals, administration of the public outreach campaign, as necessary changes to mitigate unforeseen conditions, and development of an operations/maintenance plan for the bridge and various project improvements.

All work within the railroad right-of-way requires the presence of BNSF authorized flagging personnel, and the schedule delays also created the need for continuing flagging services. The additional services from RailPros will provide necessary flagging services through construction completion.

City staff has conducted negotiations to identify the appropriate scope of services from each consultant through the current completion date. The recommended actions are the most beneficial for maintaining the ongoing schedule and avoiding potential delays caused by service interruptions.

Therefore, staff recommends that the City Council approve the Second Amendment to the Professional Services Agreement with Falcon, the Third Amendment to the Professional Services Agreement with Mark Thomas, the Fifth Amendment to the Professional Services Agreement with BCA, and the First Amendment to the Professional Services Agreement with RailPros.

**FINANCIAL IMPACT:**

Funding for the recommended actions is available in the McKinley Street Grade Separation Capital Improvement Project No. ST-2012-01 within various funding sources. The total fees associated with the recommended actions are identified as part of the current Project budget as follows:

<b>Project Expenditures</b>	
<b>Expenditure Source</b>	<b>Amount</b>
Design	\$13,819,429
Project Management	\$4,103,565
Construction Management and Inspection Services	\$13,819,429
Estimated BNSF Railway Company Fees/Costs	\$1,000,000
Demolition of Structures Located at 151 and 165 N. McKinley St	\$206,283
Construction, Right of Way, and Utility Relocation	\$121,927,369
<b>Total</b>	<b>\$154,876,075</b>

The City has identified the following available funding for the current Project budget:

<b>Project Funding</b>	
<b>Funding Source</b>	<b>Amount</b>
State Senate Bill 132	\$84,450,000
Trade Corridor Enhancement Program (TCEP)	\$10,300,000
Measure A Regional Arterial (MARA)	\$9,889,692
City of Corona Measure X Funds	\$5,001,956
Section 190 Grade Separation Program	\$5,000,000
Local Measure A	\$4,025,000
Burlington Northern Santa Fe Railway (BNSF) Contributions	\$3,810,000
Highway Railroad Crossing Safety Crossing Account (HRCSA)	\$2,876,960
Transportation Development Act (TDA)	\$2,000,000
Transportation Uniform Mitigation Fees (TUMF)	\$12,853,600
Western Municipal Water District (WMWD) Cooperative Agreement	\$1,439,143
Development Impact Fees (DIF) – Drainage	\$1,000,000
Development Impact Fees (DIF) – Streets/Signals	\$1,000,000
Gas Tax	\$729,724
Road Maintenance Rehabilitation Accountability (RMRA)	\$500,000
SB 125 Transit and Intercity Rail Capital Program (TIRCP)	\$10,000,000
<b>Total</b>	<b>\$154,876,075</b>

**ENVIRONMENTAL ANALYSIS:**

Per Public Resources Code Section 21080.13, all railroad grade separation projects that eliminate an existing at grade crossing is exempt from the laws for the California Environmental Quality Act (CEQA). As a grade separation project, this Project is statutorily exempt under the California Environmental Quality Act. The recommended actions involve the approval of professional services agreements. Therefore, no environmental analysis is required at this time.

**PREPARED BY:** ALAN ZHANG, SENIOR ENGINEER

**REVIEWED BY:** SAVAT KHAMPHOU, PUBLIC WORKS DIRECTOR

**ATTACHMENTS:**

1. Exhibit 1 – Second Amendment to the Professional Services Agreement with Falcon Engineering Services, Inc.
2. Exhibit 2 – Third Amendment to the Professional Services Agreement with Mark Thomas and Company, Inc.
3. Exhibit 3 - Fifth Amendment to the Professional Services Agreement with Biggs Cardosa Associates, Inc.
4. Exhibit 4 – First Amendment to the Professional Services Agreement with RailPros Field Services, Inc.