



November 6, 2023

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Agreement for Additional Design Services for State Route 91 Improvement Project Between La Palma Avenue and State Route 55

Overview

On February 10, 2020, the Orange County Transportation Authority Board of Directors authorized an agreement with WKE, Inc., for the preparation of plans, specifications, and estimates for the State Route 91 Improvement Project between La Palma Avenue and State Route 55. An amendment to the existing agreement is required for additional design services.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-9-1557 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$1,180,336, for additional design services for the State Route 91 Improvement Project between La Palma Avenue and State Route 55. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$16,488,884.

Discussion

State Route 91 (SR-91) improvements between La Palma Avenue and State Route 55 (SR-55) (Project) is part of Project I in the Measure M2 (M2) freeway program. This Project is being advanced through the updated Next 10 Delivery Plan that was approved in November 2022 by the Orange County Transportation Authority (OCTA) Board of Directors (Board).

The Project includes the addition of a general purpose lane in the eastbound (EB) direction between La Palma Avenue and SR-55, and the reconstruction of the Glassell Street/Kraemer Boulevard and Tustin Avenue interchanges. The plans, specifications, and estimates (PS&E) for the Project are currently being prepared by WKE, Inc. (WKE).

Additional project scope has been identified, which requires further effort from WKE to complete the design on schedule. An amendment to this agreement is recommended for the following additional services:

Right-of-Way (ROW) Engineering Services

To expedite the ROW engineering and subsequent appraisal process, WKE needs to divide the Project's ROW map into multiple submittals based on degrees of parcel acquisition coordination. Parcels with limited agency coordination would be processed first over parcels with a higher level of agency coordination. The additional work includes separating the ROW map submittal into six packages and separating the Hazardous Material Disclosure Document into two documents to accommodate the six ROW maps. This process will require significant coordination and meetings with the California Department of Transportation (Caltrans), County of Orange, and City of Anaheim (City).

Median Barrier Replacement

The original scope of work included replacement of the median barrier only at locations where it was impacted by either bridge columns or overhead signs. Caltrans requested that the Project replace the entire existing non-standard median barrier within the project limits to meet current safety standards. WKE needs to modify the design plans to remove and replace the existing median barrier and to include the associated roadway work impacted by the median concrete barrier replacement. The median barrier replacement impacts several design plan sheets, specifications, and estimates for roadway, drainage, staging, electrical, and structures.

Utilities

Within the Santa Ana River there are two waterlines that are proposed to be protected in place. To ensure there are no conflicts during construction, WKE needs to conduct trenching in several areas to verify the exact locations of these waterlines with respect to the proposed bridge pier widening. The work includes obtaining an encroachment permit from the Orange County Water District, trenching to identify waterline locations, and surveying the waterline and trench locations.

New Masonry Block Wall

During the PS&E development, the City requested that a masonry block wall be installed, in-lieu of a barrier with a chain link fence, along the EB SR-91 in the vicinity of a recycling facility. This will provide better screening and comply with

an existing conditional use permit. This requires a new design with a masonry block wall on piles, numerous design refinements, and significant coordination.

Reports

Caltrans requested that a supplemental project report be developed and circulated for review and approval which captures all major design changes since the environmental project approval. In addition, a supplemental design standard decision document is needed to record additional design exceptions due to the median barrier replacement.

Procurement Approach

The original procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering services, which conform to both state and federal laws. The original firm-fixed price agreement was issued on June 17, 2020, in the amount of \$13,867,796, for the preparation of the PS&E. This agreement has been previously amended as shown in Attachment A. It is necessary to amend the existing agreement to include additional design services.

OCTA staff negotiated the required level of effort with WKE to provide the additional design services described above. OCTA found WKE's price proposal, in the amount of \$1,180,336, to be fair and reasonable relative to the negotiated level of effort and the independent cost estimate prepared by the OCTA project manager. Proposed Amendment No. 4 to Agreement No. C-9-1557 will increase the total contract value to \$16,488,884.

Fiscal Impact

The additional funding for the Project is included in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, Account No. 0017-7519-F1105-NA6, and will be funded through net excess 91 Express Lanes revenue.

Summary

Staff requests Board of Directors' approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-9-1557 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$1,180,336, for additional design services for the State Route 91 Improvement Project between La Palma Avenue and State Route 55.

Attachment

- A. WKE, Inc., Agreement No. C-9-1557 Fact Sheet

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