

**CITY OF TEMECULA  
AGENDA REPORT**

**TO:** City Manager/City Council

**FROM:** Patrick Thomas, Director of Public Works/City Engineer

**DATE:** March 28, 2023

**SUBJECT:** Approve Consultant Agreement with TK Consulting Inc. for Ynez Road Improvements Between Tierra Vista Road and Rancho Vista Road, Phase I, PW23-02

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**PREPARED BY:** Amer Attar, Engineering Manager

**RECOMMENDATION:** That the City Council:

1. Approve a consultant agreement with TK Consulting Inc. in the amount of \$461,610 for the Ynez Road Improvements between Tierra Vista Road and Rancho Vista Road, Phase I, PW23-02; and
2. Authorize the City Manager to approve extra work authorizations not to exceed the contingency amount of \$46,161, which is equal to 10% of the agreement amount.

**BACKGROUND:** Ynez Road Improvements, Phase I project includes the widening of the east side of Ynez Road from Rancho Vista Road to Tierra Vista Road (approximately 1,600 Feet). The work consists of full street improvements including asphalt concrete pavement, curb and gutter, sidewalks, retaining wall, drainage improvements, and streetlights. The scope also includes completing all the required environmental studies and the appropriate environmental document and obtaining all resource agencies permits.

On November 22, 2021, the City entered into a Memorandum of Understanding (MOU) with RTA Rancho Highlands, LLC. Section 1 (E) of the MOU indicated that Condition 91 of the Conditions of Approval requires the developer to install half street width street improvements on the east side of Ynez Road adjacent to the development. Section 1 (F) of the MOU also discussed the benefit of the City expanding the scope of the improvements to include the missing improvements on the east side of Ynez Road from the southern boundary of the development to Rancho Vista Road. The MOU set forth the obligations of the parties with respect to the design, environmental planning and processing, permits, and costs in connection with the expanded Ynez Road Improvements.

In accordance with Section 5 of the MOU, Construction of the Ynez Road Improvements and payment by the developer of Development Impact Fees, City's construction of the Ynez Road Improvements takes place of the Developer's requirement to construct the Ynez Road

Improvements under Conditions 91,95, and 97 of the Conditions of Approval. Section 5 further states that payment by the developer of the Development Impact Fee associated with the Ynez Road Improvements as described in Section 5, shall satisfy the Developer's requirements to construct the Ynez Road Improvements under Conditions 91,95, and 97 of the Conditions of Approval and releases Developer of all obligations for Ynez Improvements."

TK Consulting Inc. has completed the Feasibility Review of the expanded Ynez Road Improvements in accordance with Section 2 of the MOU the City entered into with RTA Rancho Highlands, LLC. The work included (a) preliminary engineering, design, environmental planning, regulatory document strategy to determine estimated extent of improvements, regulatory processing and environmental mitigation associated with the expanded Ynez Improvements; (b) estimate of expanded Ynez Road Improvements; (c) cost estimate that shows both segments, the developer's and the City's, collectively and separately.

Staff recommends that the City takes the lead in the design and construction of the street improvements on the east side of Ynez Road from Rancho Vista Road to Tierra Vista Road. Staff also recommends entering into an agreement with TK Consulting for completing the plans, specifications, and estimate (PS&E), including all environmental studies, documents, and permitting. TK Consulting Inc., and its subconsultants have completed a significant amount of preliminary design, environmental discovery and studies, and cost estimates. Also, the consulting team is the only team that can build on the preliminary engineering and environmental work that have been completed. TK Consulting Inc., and its subconsultants are the most qualified team to complete the design, environmental studies, and permitting as they are most familiar with the project and its requirements.

**FISCAL IMPACT:** The Ynez Road Improvements, Phase I project is included in the Fiscal Year 2023-27 Capital Improvement Program (CIP) and is funded with Development Impact Fees (DIF) – Street Improvements. Adequate funds are available for the contract amount of \$461,610, plus the 10 % contingency amount of \$46,161 for a total encumbrance of \$507,771.

**ATTACHMENTS:**

1. Agreement
2. Approved Memorandum of Understanding
2. Project Description
3. Project Location Map