

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH SCHAAF & WHEELER FOR ENGINEERING DESIGN SERVICES INCREASING THE AGREEMENT BY \$120,000 FOR A NOT-TO-EXCEED AMOUNT OF \$320,000 FOR THE ARF AVENUE TRASH CAPTURE PROJECT NO. 07746

WHEREAS, the Municipal Regional Permit (MRP), adopted by the San Francisco Bay Regional Water Quality Control Board (Water Board) on May 11, 2022, requires 100% removal of trash from the stormwater system by the year 2025; and

WHEREAS, the City has achieved 90% removal of trash and submitted to the Water Board a plan for compliance with the current MRP trash mandate; and

WHEREAS, the Project will result in the installation of a large trash capture device on Arf Avenue to filter trash and debris from the upstream watershed; and

WHEREAS, a watershed is defined as an area of land that drains all the streams and rainfall to a common outlet such as the outflow of a reservoir, mouth of a bay, or any point along a stream channel; and

WHEREAS, the Project is consistent with the City's plan for compliance with the current MRP trash mandate; and

WHEREAS, the State of California Department of Transportation (Caltrans) owns property that is in the watershed and storm water from it will flow into the Project; and

WHEREAS, Caltrans and the City, pursuant to California Streets and Highways Code (SHC) Sections 114 and 130, have entered into a Cooperative Implementation Agreement for improvements to the State Highway System (SHS) as a watershed stakeholder within the City's jurisdiction; and

WHEREAS, Caltrans has a willingness to contribute an amount not to exceed \$750,000 to the City to construct the Arf Avenue project under the cooperative agreement between Caltrans and the City, within the regional area under the jurisdiction of the City to comply with their trash reduction mandate; and

WHEREAS, Schaaf & Wheeler and the City will amend the existing Professional Services Agreement for engineering services to design and manage the installation of the Arf Avenue Project with an additional cost not to exceed \$120,000; and

WHEREAS, the Project will be completed by July 1, 2024, to satisfy the Caltrans Cooperative Implementation Agreement funding schedule.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute an amendment with Schaaf & Wheeler in the amount of \$120,000, for engineering services for a total not-to-exceed amount of \$320,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA September 12, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward