

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR THE SULPHUR CREEK MITIGATION DESIGN PROJECT AT HAYWARD EXECUTIVE AIRPORT IN AN AMOUNT NOT-TO-EXCEED \$154,750

WHEREAS, the City of Hayward (“City”) owns and operates Hayward Executive Airport (“Airport”); and

WHEREAS, a portion of Sulphur Creek crosses Airport property and flows in an open channel within the Runway Safety Area; and

WHEREAS, this poses a potential safety hazard in the event an aircraft on a runway leaves the pavement and impacts the open channel; and

WHEREAS, in 2007 the Federal Aviation Administration (FAA) recognized this potential safety hazard and recommended that the City take steps to cover the open channel within the Runway Safety Area; and

WHEREAS, the City entered into an agreement with Kimley-Horn Associates for Airport consulting services related to the Sulphur Creek Mitigation Design project on September 4, 2018; and

WHEREAS, Kimley-Horn has satisfactorily completed numerous tasks leading up to the development of 65% plans for the project; and

WHEREAS, the initial project scope anticipated the purchase of mitigation bank credits to satisfy the mitigation component of the project; and

WHEREAS, the Regional Water Quality Control Board (RWQCB) has recommended the use of actual mitigation instead of purchasing credits; and

WHEREAS, recommended mitigation sites have been submitted to the RWQCB for review in November 2019; and

WHEREAS, Due to this additional work and the uncertainty at the time related to the remaining required level of effort, the original agreement with Kimley-Horn was allowed to expire on June 30, 2019; and

WHEREAS, a new agreement is recommended with Kimley-Horn to complete work on the project; and

WHEREAS, this new agreement will include the mitigation evaluation work, as well as the completion of the remaining portions of the final design for this project, such as the development of a final design, plans and specifications, and successful completion of the bidding process in time for construction by the summer of 2020.

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 agreement with Kimley-Horn and Associates, Inc., for the Sulphur Creek Mitigation Design project in an amount not-to-exceed \$154,750.40, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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