

## EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT

### COUNTY OF EL DORADO

#### FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING #6907

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**THIS FIRST AMENDMENT to Memorandum of Understanding ("MOU") is made and entered by and between the EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT, a county air pollution control district formed pursuant to California Health and Safety Code section 40100, et seq. (hereinafter referred to as "AQMD"); and COUNTY OF EL DORADO (hereinafter referred to as "County");**

#### WITNESSETH:

**WHEREAS**, the federal Targeted Airshed Grant program assists local, state, and tribal air pollution control agencies with developing plans and conducting projects to reduce air pollution in nonattainment areas that the United States Environmental Protection Agency ("EPA") determines are the top five most polluted areas relative to ozone, annual average fine particulate matter (PM<sub>2.5</sub>), or 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standards; and

**WHEREAS**, the overall goal of the Targeted Airshed Grant Program is to reduce air pollution in the nation's areas with the highest levels of ozone and PM<sub>2.5</sub> ambient air concentrations; and

**WHEREAS**, on June 23, 2021 the EPA approved Targeted Airshed Grant 98T10501 with the Sacramento Metropolitan Air Quality Management District ("SMAQMD"), in which AQMD is named an eligible subrecipient; and

**WHEREAS**, on March 16, 2022, AQMD and SMAQMD entered into Memorandum of Understanding 2021-00000054, which defined each party's role in the performance and administration of the work approved by Targeted Airshed Grant 98T10501 (MOU TAG 1); and

**WHEREAS**, on June 16, 2022, the EPA approved a second Targeted Airshed Grant 98T36001 with SMAQMD, in which the AQMD was named an eligible subrecipient; and

**WHEREAS**, on September 15, 2022, AQMD and SMAQMD entered into Memorandum of Understanding 2022-00000038, which defined each party's role in the performance and administration of the work approved by Targeted Airshed Grant 98T36001 (MOU TAG 2); and

**WHEREAS**, County has proposed a project that meets the eligibility criteria of the EPA Targeted Airshed Grant and that has been approved by AQMD and the Governing Board of AQMD for funding; and

**WHEREAS**, County represents that it is willing and able to perform the activities set forth herein; and

**WHEREAS**, the parties hereto desire to amend the Memorandum of Understanding to make changes to reflect the changes to the actual amount of Targeted Airshed Grant funding available, changes to the list of roadway sections contained in the funded Project, and to reflect the actual linear footage and square footage of the roadway sections completed or to be completed as part of the Project.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual promises and covenants hereinafter contained, AQMD and County mutually agree that Memorandum of Understanding #6907 shall be amended a first time, as follows:

- I. Section 1.3 labeled "Total Compensation" of the Memorandum of Understanding is amended in its entirety to read as follows:

**1.3 Total Compensation**

A total of nine hundred ninety four thousand six hundred forty three dollars and no cents (\$994,643.00) in Targeted Airshed Grant funding is available for reimbursement to County for performance of eligible roadwork projects.

- II. Exhibit A labeled "Scope of Project" of the Memorandum of Understanding is amended in its entirety to read as follows:

**EXHIBIT A  
SCOPE OF PROJECT**

The scope of work for each party is described as follows:

**County of El Dorado Responsibilities:**

1) County of El Dorado, utilizing its Department of Transportation ("DOT"), shall double chip seal slurry approximately 72,150 linear feet of currently unpaved roads located within the Sacramento Federal Nonattainment Area for 2006 PM2.5 24-hour standard ("Project"). Project consists of the following roadway sections:

Road Name	Roadway Linear Feet	Roadway Square Feet	Max Grant Amount per sq. ft. of double chip seal slurry application	Total Grant Amount Available for double chip seal slurry application	Eligible Grant Period
Bear Creek Rd.	10,296	118,746	\$0.80	\$94,996.80	4/15/2021 - 4/30/2026
Oriental St.	897	17,010	\$0.80	\$13,608.00	
Sand Ridge Rd.	19,061	269,808	\$0.80	\$215,846.40	
Mameluke Hill Rd. (Portion)	4,840	88,620	\$0.80	\$70,895.80	

South St.	431	10,218	\$1.15	\$3,559.95*	5/1/2022 – 4/30/2027
Luneman Rd.	0	0	\$1.15	\$0.00**	
Mount Murphy Rd.	6,691	103,482	\$1.15	\$119,004.30	
Russell Hollow Rd.	3,485	41,760	\$1.15	\$48,024.00	
Tullis Mine Rd.	1,848	56,079	\$1.15	\$64,490.85	
Sweeney Rd.	12,958	188,928	\$1.15	\$159,339.78***	
Mameluke Hill Rd. (Portion)	1,058	19,380	\$1.15	\$22,287.00	
Cable Rd.	10,585	158,774	\$1.15	\$182,590.12	

\*South Street only reimbursed for \$3,559.95 as this was the total contract cost for the double chip seal slurry.

\*\*Luneman Road paving project not completed as this project was determined to be not cost-effective.

\*\*\* Sweeney Road only reimbursed for \$159,339.78 as this was the total contract cost for the double chip slurry.

Targeted Airshed Grant funding shall only be available for the double chip seal slurry portion of the project.

2) Per requirements of EPA Grants 98T10501 and 98T36001, DOT shall prepare and submit to AQMD an engineering cross-section detailing the double chip seal slurry. This will be referenced during field inspections by AQMD staff and be submitted with progress reports to SMAQMD and EPA. Before and after photographs will be taken by DOT at the mile markers within the paving project

areas. Figures of each road segment will be developed. The figures will show cross streets, landmarks and mile markers delineating road paving start and stop endpoints.

3) County of El Dorado shall administer the construction contract(s) as follows:

- a. Bids for the construction of individual roadway segments of the Project will be solicited via a Request For Proposals (RFP) with the three contractors with current on-call agreements with DOT, following federal, state, and local agency public works guidelines.
  - b. The agreement to construct individual roadway segments of the Project will be awarded to the lowest responsive, responsible bidder based on the submissions from the RFP, when a Work Order is issued to the contractor.
  - c. Construction of the roadway segments of the Project will be administered by DOT staff to include construction engineering and oversight, inspection, construction staking/surveying, materials testing, and coordination with regulatory agencies for environmental compliance.
- 4) DOT shall acknowledge AQMD funding in all press releases, publicity packets, flyers, emails, advertisements and other marketing activities for the Project. Additionally, signage (if any) at the project site shall acknowledge AQMD funding.
- 5) DOT shall inform AQMD of paving projects completed in the calendar quarter (Jan-Mar / Apr-Jun / Jul-Sep / Oct-Dec) within 10 days of the quarter-end in order for AQMD to include this information on quarterly reports to SMAQMD. Information provided by DOT shall include the start/end point of completed construction for each road segment.
- 6) Progress reports shall be submitted by DOT to AQMD after the completion and closeout of an eligible roadway segment, and shall include:
- a. Agreement number and reporting period.
  - b. Description of work completed, along with clear before and after photographs of the road work at the mile markers within the paving project area, and associated drawings/figures of each road segment as Detailed in Section 2.
  - c. Documentation of any marketing, outreach and education efforts including copies of announcements and fliers, and photos of project signage.
  - d. Payment request, itemization of expenditures and supporting documentation.

**El Dorado Air Quality Management District Responsibilities:**

1) AQMD shall review progress reports submitted by DOT in a timely manner. DOT shall submit grant invoices to SMAQMD within fifteen (15) calendar days of the end of each calendar quarter for which all documentation required for reimbursement of road paving expenses is received from DOT.

2) When reimbursements are received from SMAQMD, AQMD shall transfer approved Targeted Airshed Grant reimbursement funds for eligible road paving projects to County utilizing a journal entry submitted to the El Dorado County Auditor/Controller's (EDC Auditor) office. This transfer shall be submitted to the EDC Auditor within thirty (30) days of AQMD's receipt of approved funds.

3) AQMD shall prepare and submit all subrecipient reports to SMAQMD on behalf of projects performed by AQMD and DOT utilizing Targeted Airshed Grant funds.

**REMAINDER OF THIS PAGE INTENTIONALLY KEPT BLANK**

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed as of the day and year first herein below written.

---EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT---

Dated: 3-3-2025

By:   
Rania Serieh  
Air Pollution Control Officer

EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION

Requesting Contract Administrator Concurrence:

By: Brian Mullens Dated: 01/31/2025  
By: Brian Mullens (Jan 31, 2025 13:27 PST)  
Brian Mullens, Deputy Director, Maintenance and Operations

---COUNTY OF EL DORADO---

By:   
Dated: \_\_\_\_\_

By: 2/25/2025 Dated: \_\_\_\_\_  
Chair  
Board of Supervisors

ATTEST:  
Kim Dawson  
Clerk of the Board of Supervisors

By:  Dated: 2/25/2025  
Deputy Clerk