

FERNWOOD COTHRIN ROAD ZONE OF BENEFIT # 14

ROAD MAINTENANCE AND REPAIR PROJECT
FUNDING AGREEMENT

THIS AGREEMENT, entered into by and between the County of El Dorado, a public entity, (hereinafter "DONEE") and Max North on behalf of the residents of the Fernwood Cothrin Road Zone of Benefit # 14 within County Service Area #9 (hereinafter "DONOR").

RECITALS

1. The parties agree that road work contemplated by this Agreement is in the public interest; and
2. Bullard Drive and Gild Creek Road at the location of the contemplated road work are public roads and are maintained by the Fernwood Cothrin Road Zone of Benefit; and
3. The DONOR desires to donate to the County of El Dorado and the County of El Dorado desires to accept from Donor the approximate maximum sum of \$10,000 (ten thousand dollars) for the express purpose of accomplishing a portion of the road work described below. The donation is a gift to the County of funds, which is subject to the conditions contained herein.

PROJECT DESCRIPTION

The road maintenance and repair work described herein will be performed by a licensed contractor and is subject to all applicable requirements for public works, including the payment of prevailing wages. The Fernwood Cothrin Road Zone of Benefit road maintenance and repair work described herein shall consist of the following:

Grade existing roadway to prepare the surface for chip seal and to support proper drainage; provide and install aggregate base on the graded surface over the width of the road surface and apply double chip seal over the same width on the specified sections of Bullard Drive and Gild Creek Road.

The exact location of repairs will be marked in the field by a road zone representative prior to the start of work.

PROJECT COSTS

The estimated maximum cost of the project is \$70,000 (seventy thousand dollars). Funds provided by the DONOR will be used to pay for a portion of the labor, materials and equipment costs to complete the work described herein.

Funding received from DONOR is a gift/donation, not a loan, and will not be refunded or reimbursed or credited against any taxes or assessments that are due now or will become due in the future. If for whatever reason this project is not completed before May 30, 2008, all funds received as donations by DONOR under this Agreement will be returned to DONOR.

All funds donated for this project shall be deposited with the Department of Transportation prior to the commencement of work. The funds will be held in the separate operating account specifically identified for the Fernwood Cothrin Road Zone of Benefit #14. The account is interest bearing and has been established with the County Auditor-Controller. Interest received on the deposited funds shall be added to the account balance to be used in the same manner and for the same purposes as DONOR's deposited funds herein.

PROJECT DATE

This project will take place during fiscal year 2007/2008 upon full execution of a contract with a qualified contractor.

MAINTENANCE


The newly conditioned portions of Bullard Drive and Gild Creek Road will remain under the control and responsibility of the Fernwood Cothrin Road Zone of Benefit to maintain at its discretion.

The road work done pursuant to this Agreement shall not vest in the DONOR any greater rights to travel Bullard Drive and Gild Creek Road than exist in the public, and do not commit the County to any duty of maintenance under the terms of this Agreement, or as a condition of the gift made.

CONTRACT ADMINISTRATOR

The County Officer or employee with responsibility for administering this Agreement is Tom Celio, Deputy Director of Maintenance, Department of Transportation, or successor.

Requesting Department Concurrence:

By: 
Richard W. Shepard, P.E.
Director of Transportation

Dated: 6/12/07

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below, the latest of which shall be deemed to be the effective date of this Agreement.

COUNTY OF EL DORADO

By: _____

Dated: _____

Board of Supervisors
"Donee"

Attest:
Cindy Keck
Clerk of the Board of Supervisors

By: _____

Dated: _____

Deputy Clerk

DONOR

By: Max North

Dated 6-15-07

Max North
on behalf of the residents of
the Fernwood Cothrin Road Zone of Benefit