



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530 621-5390  
FAX 622-3645  
www.edcgov.us/bos/

## Legislation Details (With Text)

**File #:** 12-1229      **Version:** 3

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/10/2012      **In control:** Board of Supervisors

**On agenda:** 12/18/2012      **Final action:** 12/18/2012

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Rescind the action taken on November 13, 2012 to approve Agreement No. 322-O1311 with AT&T; and  
 2) Authorize the Chair to sign the revised Utility Agreement No. 368-O1311 (03-UT-2550.3L) with AT&T in the estimated amount of \$66,325.89 for the relocation of facilities for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, subject to minor modification and County Counsel approval. (Refer 10/16/12, Item 35 and 11/13/12, Item 23).

**FUNDING:** El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 3A - Draft CRS 12-18-12, 2. 3B - Agmt 368-O1311 12-18-12.pdf, 3. 3C - Agmt #368-O1311 Reloc Plan 12-18-12.pdf, 4. A - 12-1229 A - Approved CRS 10-16-12.pdf, 5. B - Draft AT&T Utility Agreement 10-16-12, 6. 2A - Draft CRS 11-13-12.pdf, 7. 2B - Agmt #322-O1311 11-13-12.pdf, 8. 2C - Agmt #322-O1311 Reloc Plan 11-13-12.pdf, 9. Fully executed Utility Agreement 03-UT-2550.3L.pdf

Date	Ver.	Action By	Action	Result
12/18/2012	3	Board of Supervisors	Approved	Pass
11/13/2012	2	Board of Supervisors	Approved	Pass
10/16/2012	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following:  
 1) Rescind the action taken on November 13, 2012 to approve Agreement No. 322-O1311 with AT&T; and  
 2) Authorize the Chair to sign the revised Utility Agreement No. 368-O1311 (03-UT-2550.3L) with AT&T in the estimated amount of \$66,325.89 for the relocation of facilities for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, subject to minor modification and County Counsel approval. (Refer 10/16/12, Item 35 and 11/13/12, Item 23).

**FUNDING:** El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

<b>BUDGET SUMMARY:</b>	
Total Estimated Cost.....	\$66,325.89
Budgeted.....	\$66,325.89
New Funding.....	
Savings.....	
Other.....	

Total Funding Available.....	\$66,325.89
Change To Net County Cost.....	\$0

**Fiscal Impact/Change to Net County Cost**

The total construction cost associated with the proposed AT&T relocation work is estimated at \$117,599.09. The County is responsible for 56.4% of the actual AT&T utility relocation cost, and the County share is estimated to be \$66,325.89. Funding for this work will be provided by the El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

**Background**

On October 16, 2012 the Board approved Utility Agreement No. 234-C1375 in the estimated amount of \$62,848.33 with AT&T for the relocation of existing utilities in conflict with the U.S. 50/Silva Valley Parkway Interchange Project (Project). Subsequent to that approval, AT&T has requested modifications to the Utility Agreement, including advance payment for design and construction costs.

On November 13, 2012, the Board rescinded the October 16, 2012 action, and approved revised Utility Agreement No. 322-O1311 in the estimated amount of \$66,251.63 with AT&T for the relocation of existing utilities in conflict with the Project.

On June 28, 2011 the Board certified a Supplemental Environmental Impact Report and authorized ordering of title reports, certified appraisals, and the commencement of the acquisition process for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project (Project). The Department of Transportation (Department) is subsequently working toward finalizing PS&E and acquiring Right of Way for the Project.

One element of the Right of Way activity is the relocation of existing utilities that are in conflict with construction of the Project. AT&T has significant existing utilities which require relocation prior to the construction of the interchange. The Department, AT&T and Caltrans have evaluated these conflicts and a relocation design has been prepared. The cost to relocate the facilities is based upon the existing land rights of the individual utilities, and is subject to a Master Agreement between Caltrans and AT&T. In instances where AT&T has existing easements, the cost to relocate facilities in conflict lies with the County. In instances where the facilities lie within the Right of Way, the cost to relocate the facilities is shared 50%/50%, as required under the Caltrans and AT&T Master Agreement. The County's combined pro-rated share of relocation costs is 56.4% and 43.6% by AT&T.

The County's total estimated cost for relocating AT&T facilities is \$66,325.89. This cost share agreement is based upon actual costs, and should the actual construction costs differ from the provided estimate, the County's ultimate cost will differ from the estimated amount.

**Reason for Recommendation**

Relocation of conflicting AT&T utilities is required for the construction of the Project. The approval of this revised Utility Agreement is necessary to obtain Right of Way clearance for the Project. Subsequent to the Board's previous actions, AT&T has requested revisions to the Utility Agreement, including obtaining concurrence from Caltrans and AT&T regarding the Advanced Payment language and minor changes to the prevailing wage language, which are acceptable to the Department.

**Action(s) to be taken following Board approval**

1. Upon County Counsel review and approval of final minor modifications, the Department will obtain signatures from AT&T and deliver two partially executed originals of the Utility Agreement to the Chair for signature.
2. The Chair will sign two originals of the Utility Agreement.
3. The Clerk of the Board will forward one fully executed original of the Utility Agreement to the Department for further processing.

**Contact**

Kim Kerr, Interim Director  
Department of Transportation

**Concurrences**

Pending