



Legislation Text

File #: 11-1257, **Version:** 1

Department of Transportation recommending the Board authorize the Chair to sign Cooperative Agreement No. 03-0488 (County Agreement No. 11-53328) with the State of California Department of Transportation for the construction of the U.S. 50 HOV Lanes (Phase 2A) - Bass Lake Road to Cameron Park Drive Project, CIP No. 53113. (Est. Time: 5 Min.)

FUNDING: State Corridor Mobility Improvement Account Funds, Federal Congestion Mitigation and Air Quality Improvement Program Funds, Shingle Springs Band of Miwok Indians Tribal Agreement. Fiscal Impact/Change to Net County Cost:

There is no fiscal impact associated with this agenda item.

Funding for the construction phase of the U.S. Highway 50 HOV Lanes (Phase 2A) Bass Lake Road - to Cameron Park Drive Project (Project) will be provided by three sources: \$9.5 million in State Corridor Mobility Improvement Account (CMIA) Funds programmed by the California Transportation Commission (CTC); \$10.476 million in Federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program Funds programmed by the El Dorado County Transportation Commission (EDCTC); and \$3.024 million in funds from the Memorandum of Understanding and Intergovernmental Agreement Between the County of El Dorado and Shingle Springs Band of Miwok Indians (Casino). The total current estimated cost for construction and construction engineering for this Project is \$23 million.

Background:

On March 23, 2010, the Board approved the Cooperative Agreement with the State of California Department of Transportation (Caltrans) (District Agreement No. 03-0348 - reference Legistar Item # 09-1266) authorizing the preparation of Plans, Specifications and Estimate (PS&E) and Right of Way for the U.S. 50 HOV Lanes from west of Bass Lake Road to Ponderosa Road Project (Phase 2 Project).

Subsequent to the March 23, 2010 Board approval of preparation of PS&E and Right of Way, previously unanticipated funds became available including \$9.5 million in CMIA funds and \$10.476 million in CMAQ funds. As the CTC prioritized programming of funds based upon earliest construction start dates, the EDCTC, the County Department of Transportation (Department) and Caltrans cooperatively worked to split the overall Phase 2 Project into two elements: Phase 2A (Bass Lake Road to Cameron Park Drive) and Phase 2B (Cameron Park Drive to Ponderosa Road). This modification allowed for the scheduling of delivery of Phase 2A to construction in early 2012, subsequently leading to a June 2011 vote by the CTC to program the CMIA funds to this Project. Phase 2B is anticipated to be delivered at a later date when additional funds become available.

On August 16, 2011 the Department brought Legistar Item # 11-0960 to the Board to discuss utilization of CMAQ funds on the Project and its relationship with the next phase of the El Dorado Hills Boulevard Interchange Improvement Project.

Reason for Recommendation:

The Project has been a priority for the Department for more than ten years. Construction of the Project is identified as a need in the County General Plan, the Caltrans U.S. Highway 50 Corridor Management Plan, and various specific plans. Casino funds have previously been identified in the Department's Capital Improvement Program (CIP) for this Project. The recent and unexpected availability of CMIA funds, along with the programming of the CMAQ funds to the Project, will allow this portion of the overall project to be advanced nearly four years earlier than otherwise possible under the prior funding constraints, and potentially allows previously programmed funds to advance additional projects.

The availability of the CMIA funds was based upon the Department's ability to deliver the Project as soon as possible. When evaluating competing projects for possible funding, the CTC prioritized programming by construction start date with the earliest delivery projects being programmed for funding. Splitting the overall Phase 2 Project into two portions made it possible to schedule construction of the Project in early 2012, and allowed EDCTC, the Department, and Caltrans to successfully get the Project programmed by the CTC.

Execution of the Cooperative Agreement (Coop) is a prerequisite for the CTC's allocation of the CMIA funds, currently scheduled for December 2011, and a requirement for the Project to move forward to construction. Execution of the Coop by the County and Caltrans in November 2011 will allow scheduling the Project on the CTC agenda in December 2011 for allocation. Delays in allocation of the CMIA funds could potentially jeopardize their availability for this Project.

The Coop provides for the use of the CMIA funds for the construction phase of the Project. The Coop also defines the obligations of both the County and Caltrans regarding Project activities and funding. The Board should be aware that several elements of the Coop would require the County to utilize its own funds (Casino) to complete the Project in the event that Project cost overruns (in the form of higher than anticipated bids, claims, substantial change orders or other unforeseen circumstances) cause the Project to exceed its currently anticipated cost.

Because this Coop is a condition of allocation of the CMIA funding windfall and delays in delivery of the Project may jeopardize the allocation of the CMIA funds, and the reasonably foreseeable risks associated with potential Project cost overruns are substantially less than the potential benefit of these available funds, the Department recommends the Board approve this item.

Action to be taken following Board approval:

1. The Chair will sign four (4) originals of the Coop.
2. The Clerk of the Board will forward four (4) originals of the partially-executed Coop to the Department to send to Caltrans for its approval and signature.

Action to be taken by the Department following Board approval:

1. The Department will send a fully-executed original Coop to the Clerk of the Board for its files.
2. The Department will work with Caltrans, EDCTC and the CTC for allocation of CMIA and CMAQ funds.
3. The Department will return in early 2012 requesting approval of the Project and authorization to advertise for construction.

Contact:

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