File #: 12-0774, **Version:** 2

Community Development Agency, Transportation Division, recommending the Board consider the following:
1) Approve and authorize the Chair to sign the Master Construction Responsibility and Reimbursement Agreement between the County of El Dorado and the El Dorado Irrigation District, for a term of five (5) years from the date of Agreement execution, for use on projects with estimated reimbursement expenses less than $100,000 each; and
2) Authorize the Transportation Division Director to sign the companion Caltrans approved Utility Agreements with El Dorado Irrigation District, in compliance with the above Master Agreement, as necessary to comply with State or Federal requirements.

FUNDING: Various Capital Improvement Program funding sources that fund Community Development Agency's projects.

DEPARTMENT RECOMMENDATION

Community Development Agency, Transportation Division (Transportation) recommending the Board approve this Master Agreement with the El Dorado Irrigation District.

DISCUSSION / BACKGROUND

The County of El Dorado (County) and the El Dorado Irrigation District (EID) frequently perform roadway and utility improvements which impact one another's facilities. In these instances, coordination is necessary, and the costs of design, construction, and inspection are frequently a shared responsibility. On June 26, 2012 the County and EID entered into a Master Construction Responsibility and Reimbursement Agreement (Master Agreement), under certain circumstances, to facilitate the inclusion of improvement to either entity's roadway or utility facility within the scope of the other entity's improvements in an efficient and cost-effective manner. The Master Agreement applied to projects that both County and EID agree are limited in scope and complexity, and estimated not to exceed $100,000 in reimbursement cost.

Subsequent to the execution of this Master Agreement, Transportation and EID staff has utilized this agreement on several projects, agreeing it is a useful tool, and cost savings have been realized by both agencies.

The Master Agreement had a three (3) year term which expired on June 26, 2015. The prior agreement required modification to update organizational changes and address requirements for use on Federally Funded projects. In light of the necessary changes, the Original Agreement was allowed to expire and this new modified Master Agreement has been prepared for consideration to replace it. Transportation and EID staff desire to enter into the new Master Agreement for a five (5) year term.

In addition to the Master Agreement, projects including certain forms of State and Federal Funding, or falling within State Right-of-way, may require the execution of a Caltrans approved standardized format Utility Agreement. The Master Agreement has been modified to address this issue and allows

for both the Master Agreement and companion project specific Utility Agreement to be implemented as needed. In order to obtain best efficiency, Transportation staff is requesting the Board authorize the Transportation Division Director to sign any necessary companion Utility Agreements, provided said agreements fall within the funding limits and scope of work limitation allowed under the Master Agreement.

ALTERNATIVES

The Board has several alternatives available:
1) Approve only a three (3) year term Master Agreement. The three (3) year term would be serviceable and allow near term projects to proceed with determinations for further modifications, extension, or expiration to be made at a later date.
2) Do not approve the Master Agreement. The Board could choose not to enter into the new agreement, in which case the County and EID would be required to prepare individual agreements for approval by each Board on a project-by-project basis.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved this Master Agreement. It is unlikely other County departments or agencies will be involved with this Master Agreement; however, it may be possible for some Facilities projects to utilize this agreement.

CAO RECOMMENDATION

CAO recommending the Board move staff's recommendations.

FINANCIAL IMPACT

There is no direct fiscal impact associated with this item. This agreement is intended to be a tool for the County and EID to most efficiently perform necessary work related to County roadways and EID facilities. This agreement will reduce an unknown time and cost associated with processing individual agreements for future projects. Funding for the work to be covered under this agreement will be authorized under the individual projects and maintenance budgets as applicable.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1) The Clerk of the Board will obtain the Chair's signature on two originals of the Agreement (originals to come after EID Board of Directors approves the Agreement - expected August 10).
2) The Clerk of the Board will forward one fully executed original to Transportation for further processing.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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