



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 09-0190 **Version:** 1  
**Type:** Agenda Item **Status:** Approved  
**File created:** 2/4/2009 **In control:** Board Of Supervisors  
**On agenda:** 4/21/2009 **Final action:** 4/21/2009  
**Title:** Transportation Department recommending the Board authorize the Chairman to sign the Utility Agreement AGMT 08-52583 and Joint Use Agreement No. 2462.3L with AT&T California in a not to exceed amount of \$140,084.96 for the relocation of existing telephone facilities for the US Highway 50 /Missouri Flat Road Interchange Improvements - Phase 1B Project 71336.

**FUNDING:** Missouri Flat Master Circulation and Funding Plan (MC&FP).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Utility Agreement.PDF, 2. County Counsel Utility Agmt.PDF, 3. Joint Use Agreement.PDF, 4. County Counsel Joint Use.PDF

Date	Ver.	Action By	Action	Result
4/21/2009	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending the Board authorize the Chairman to sign the Utility Agreement AGMT 08-52583 and Joint Use Agreement No. 2462.3L with AT&T California in a not to exceed amount of \$140,084.96 for the relocation of existing telephone facilities for the US Highway 50 /Missouri Flat Road Interchange Improvements - Phase 1B Project 71336.

**FUNDING:** Missouri Flat Master Circulation and Funding Plan (MC&FP).

BUDGET SUMMARY:		
Total Estimated Cost		\$140,084.96
Funding		
Budgeted*	\$140,084.96	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$140,084.96	
Change To Net County Cost		\$0.00

\* included in the proposed FY 09/10 project budget.

### Fiscal Impact/Change to Net County Cost:

Funding for Utility and Joint Use Agreements (the Agreements) are provided by the MC&FP and has been included in the proposed work program budget for FY 09/10, identified as project number 71336. The County's total expense associated with the Agreements is estimated to be \$112,067.97.

The Agreements are an actual cost contract for the described work and language in the Agreements allows for the expenditure of 125% of this amount or an additional \$28,016.99, before the Agreements require amending. Therefore, the Agreements not to exceed amount is \$140,084.96. There is no net cost to the County General Fund associated with this agenda item.

**Reason for Recommendation:**

The Agreements will assist the Department in meeting its goal of delivering the U.S. Highway 50/Missouri Flat Road Interchange Improvements - Phase 1B Project #71336 (Project). The Agreements define the roles and obligations of both El Dorado County and AT&T for the relocation of the utility facilities to accommodate the construction of the Project. A previous Agreement was processed for the AT&T relocation of facilities for construction of Phase 1A.

The County as the lead agency on the Project is responsible for the design, right-of-way, construction administration, inspection, surveying and materials testing. Caltrans will provide, at no cost to the County, quality assurance and cooperation in timely processing and approval of submittals for the project. As a part of the right of way process the County notifies all public utility companies of the proposed Project to determine if they have any facilities that will conflict with the proposed work. In the case of this Project the only utility that conflicts is an AT&T line that runs along the southerly boundary of the Highway 50 right of way. The cost of relocating AT&T's facilities within the State's right of way is shared equally between AT&T and the County in accordance with the existing Caltrans / AT&T Master Agreement which governs that work. AT&T's facilities within the County's right of way will be relocated at AT&T's expense.

The Agreements are being brought forward in advance of construction of the Project. The existing AT&T facilities conflict with the proposed Project and their relocation needs to occur prior to construction in order to avoid potential conflict. DOT recognizes that the work under the Agreements would not be required if the Project does not move forward. Funding for the Missouri Flat 1B construction has not been secured and the State Co-op Agreement is still being negotiated. However, complete cancellation of this project is unlikely and therefore, DOT is recommending approval of the Agreements.

**Action to be taken following Board approval:**

1. The Chairman will sign two (2) originals of the Utility Agreement and the Joint Use Agreement (No. 2462.3L), with AT&T.
2. The Board Clerk will forward one original of the fully executed Utility Agreement and Joint Use Agreement to the Department for further processing.

**Contact:** James W. Ware, P.E., Director of Transportation

**Concurrences:** County Counsel and Risk Management