



Legislation Text

File #: 16-0745, **Version:** 1

Community Development Agency, Transportation Division, recommending the Board:

- 1) Authorize the Chair to sign Master Agreement Administering Agency - State Agreement for Federal -Aid Projects, Agreement 03-5925F15 with the State of California, acting by and through its Department of Transportation; and
- 2) Adopt and authorize the Chair to sign Resolution **164-2016** authorizing the Director of Transportation to accept and sign all Program Supplements to Master Agreement 03-5925F15 for County road and bridge construction projects.

FUNDING: Federal-Aid Transportation Funds.

DEPARTMENT RECOMMENDATION

Community Development Agency (CDA), Transportation Division (Transportation), recommending the Board:

- 1) Authorize the Chair to sign Master Agreement Administering Agency - State Agreement for Federal -Aid Projects, Agreement 03-5925F15 (Master Agreement) with the State of California, acting by and through its Department of Transportation (Caltrans); and
- 2) Authorize the Chair to sign Resolution **164-2016** authorizing the Director of Transportation to accept and sign all Program Supplements to Master Agreement 03-5925F15 for County road and bridge construction projects.

Approval and execution of this Master Agreement will assist the County in meeting its goal of delivering capital improvement projects utilizing federal-aid funds made available through the Intermodal Surface Transportation Efficiency Act of 1991 and subsequent Transportation Authorization Bills.

DISCUSSION / BACKGROUND

Before federal-aid transportation funds will be made available for a specific program project, the County and Caltrans are required to enter into an agreement to establish the terms and conditions applicable to the County when receiving federal funds for a designated project facility and for subsequent operation and maintenance of that completed facility.

The Master Agreement applies County-wide and includes, but is not limited to, the following federally funded programs: Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Transportation Enhancement Program (TE), Highway Safety Improvement Program (HSIP), and Highway Bridge Program (HBP). Transportation is taking lead on this Master Agreement due to the significant number of federally-funded transportation projects it manages.

It has been nine and one-half years since the last federal Master Agreement was revised. The previous Master Agreement 03-5925R was approved by the Board on January 30, 2007. Master Agreement 03-5925F15 reflects the recent changes created by the "Supercircular," otherwise known as 2 CFR 200. 2 CFR 200, consolidated some Office of Management and Budget (OMB) directives,

and eliminated a few other regulations. The revised Master Agreement also addresses references to obsolete federal regulations, bringing it into compliance with current rules.

Pursuant to the El Dorado County Charter, Section 210b (6), the County may enter into any contract or agreement in cases where the agreement is with or among any other governmental entities or agencies.

In addition to the Master Agreement, a project-specific Program Supplement is required that sets out special covenants as a condition for the County to receive federal-aid funds from the State for a designated project. The Program Supplement will show the federal funds that have been initially encumbered for the project, along with the matching funds to be provided by the County and/or others. Execution of the Program Supplement will cause the County to adopt all of the terms of the Master Agreement. A sample Program Supplement is attached.

Article I, item 4, of the Master Agreement allows for the Board to delegate signature authority of Program Supplements by resolution.

On March 6, 2007, the Board approved Resolution 053-2007 delegating signature authority of Program Supplements under Master Agreement 03-5925R to the Director of Transportation.

The CDA Capital Improvement Program (CIP) is brought to your Board annually for approval. The CIP document represents the strategy for infrastructure development and maintenance. The document identifies capital projects and provides a schedule and funding options so the Board can determine capital priorities. In addition to the annual approval, CDA returns to your Board on several occasions throughout the year to communicate about and/or obtain approval on project cost updates, schedule changes, potential changes in funding, or the addition of projects when new funding is identified.

CDA is requesting approval for the Director of Transportation to be authorized to accept and sign all Program Supplements under Master Agreement 03-5925F15 related to road and bridge construction projects. The delegation of signature authority would allow the Program Supplement approval process to function more efficiently.

ALTERNATIVES

If this Master Agreement is not executed, the County would not be permitted to receive federal-aid transportation funding for new projects.

If the Resolution authorizing the Director of Transportation to accept and sign all Program Supplements to Master Agreement 03-5925F15 for County road and bridge construction projects is not executed, CDA would be required to return to your Board for execution of each individual Program Supplement.

The following Program Supplements are awaiting processing. If the Board does not approve the proposed Resolution, an alternate action of authorizing the Board Chair to sign the Program Supplements is recommended.

Program Supplement F090
\$937,500 HBP Funds

Alder Drive Over EID Canal at Pony Exp. Trail

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|---|---|
| Program Supplement F091 \$1,068,528 CMAQ Funds | U.S. 50 from Missouri Flat Rd to Forni Rd Ph1B2 |
| Program Supplement F092 \$1,650,000 HBP Funds | Blair Road Bridge 0.7 Mi. North of Pony Exp. Trail |
| Program Supplement F093 \$195,600 CMAQ Funds | El Dorado Hills Blvd. from Governor Pl. to Brittany Pl. |

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

Recommend approval of the Department recommendation.

FINANCIAL IMPACT

If the Master Agreement is not executed, the County will be ineligible for millions of dollars in federal transportation funding that could become available. Federal funding for individual projects is addressed in Program Supplements that are issued in accordance with the Master Agreement, and as programmed in the County's adopted 2016 interim CIP.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk of the Board will have the Chair sign two (2) originals of Master Agreement: Administering Agency - State Agreement for Federal-Aid Projects Agreement 03-5925F15.
- 2) The Clerk of the Board will forward the two (2) partially-executed originals of the Agreement to the Community Development Agency, Administration and Finance Division, for further processing.
- 3) Clerk of the Board will have the Chair sign the Resolution authorizing the Director of Transportation to accept and sign all Program Supplements to Master Agreement 03-5925F15.
- 4) The Clerk of the Board will forward the fully executed Resolution to the Community Development Agency, Administration and Finance Division.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Bard Lower, Transportation Division Director
Community Development Agency