



## Legislation Text

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**File #:** 24-0854, **Version:** 1

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Department of Transportation recommending the Board consider the following:

- 1) Delegate authority to the Department of Transportation Director to approve and sign Utility Agreement 2934.1L with Pacific Gas and Electric Company in the amount of \$582,363.41 as part of the Diamond Springs Parkway - Phase 1B Project, Capital Improvement Program number 72334/36105011; and
- 2) Delegate authority to the Department of Transportation Director to amend Utility Agreement 2934.1L for any minor modifications as necessary, including up to 125% of actual costs, throughout the term of the agreement.

**FUNDING:** Master Circulation and Funding Plan (52%), Traffic Impact Fees (27%), State Local Partnership Program (14%), Regional Surface Transportation Program (4%), State Highway Operation and Protection Program (3%), and Road Fund (<1%). (Local and State Funds)

### **DISCUSSION / BACKGROUND**

The two-phase Diamond Springs Parkway Project (Project) was approved as part of the Master Circulation and Financing Plan in December 1998 and will provide improved traffic circulation and safety improvements through and around the historic town of Diamond Springs. Phase 1A was completed in 2022 and Phase 1B will begin construction in early 2025.

On February 4, 2014 (Item 23, Legistar 13-0981), the Board adopted Resolution 008-2014 creating an Underground Utility District for all parcels within the Project limits. This requires all new construction installing and/or relocating utilities to be located as underground facilities.

Phase 1A of the Project relocated the existing overhead electric lines along State Route 49 under Electric Rule 20A utilizing accumulated work credits at no cost to the County.

Since Phase 1B constructs a new roadway and does not meet the qualifying criteria for Rule 20A, this phase will convert the remaining overhead electric facilities to underground facilities under Electric Rule 20B. Under Rule 20B, the electric conversion work will be funded by a combination of Pacific Gas and Electric Company (PG&E) general ratepayer credits and Project funding. The PG&E ratepayer-funded credits are calculated as (1) the estimated cost of a new equivalent overhead system, plus (2) the cost to remove the existing overhead system. Utility Agreement No. 2934.1L (Agreement) outlines the scope of work and costs associated with this Project. On April 23, 2024 (Item 15, Legistar 23-2048), the Board approved the Agreement; however, PG&E has requested additional minor revisions to the Agreement and Transportation is requesting approval of this revised one. Due to PG&E requesting these revisions, Transportation is requesting authority be delegated to the Director to allow for any other modifications necessary throughout the term of the Agreement.

### **ALTERNATIVES**

The Board could choose not to authorize the Director to sign the Agreement; however, this would delay delivery of the Project and jeopardize over \$6 million in State funding grants.

### **PRIOR BOARD ACTION**

- 1) September 14, 2004 (Item 81): Project adopted as part of the Fiscal Year 2003/04 Interim CIP as project 72334, under former CIP Project name “Missouri Flat Road / Pleasant Valley Road Connector.”
- 2) February 11, 2008 (Item 14, Legistar 08-0038): Project adopted as part of the 2008 CIP, under the current CIP Project name.
- 3) April 29, 2008 (Item 58, Legistar 08-0628): Approved Alternative #4 as the preferred alignment of the Project.
- 4) May 24, 2011 (Item 39, Legistar 11-0448): Certified Final Environmental Impact Report adopted for the Project.
- 5) December 18, 2012 (Item 57, Legistar 12-1540): Approved to support economic development and create special revenue fund and direct Transportation to immediately proceed with completion of design and right-of-way.
- 6) June 10, 2014 (Item 23, Legistar 14-0725): Approved commencement of acquisition process for the Project.
- 7) May 3, 2016 (Item 23, Legistar 16-0370): Certified Supplement to the 2011 Environmental Impact Report adopted for the Project.
- 8) March 5, 2019 (Item 12, Legistar 19-0049): Awarded Contract 2720 to Granite Construction Company for construction of Phase 1A of the Project.
- 9) July 23, 2019 (Item 22, Legistar 19-1009): Approved Task Order 461-S1711-01 with Bender Rosenthal, Inc. to complete right-of-way services, including valuations/appraisals, acquisitions, and relocation services for Phase 1B of the Project.
- 10) February 9, 2021 (Item 32, Legistar 21-0178): Diamond Springs Parkway Phase 1B Presentation.
- 11) April 19, 2022 (Item 27, Legistar 22-0440) - Approved Cooperative Agreement 03-0782 with Caltrans, defining the roles, responsibilities, and funding contributions of each agency related to the Plans, and Specifications, and Estimate, Right of Way, and Construction phases of the Project.
- 12) September 26, 2023 (Item 27, Legistar 23-1379) - Approved Tribe Fund loan to finance additional funding needed to complete the Project.
- 13) April 23, 2024 (Item 15, Legistar 23-2048) - Approved PG&E Utility Agreement No. 2934.1L.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Coordination with PG&E and County Counsel has reviewed and approved the Agreement.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no fiscal impact or change to net County cost associated with this item. Funding for the Project is budgeted in Transportation’s 2023 Capital Improvement Program, which was approved by the Board on June 6, 2023 (Legistar 23-0851, Item 56), and is provided by a combination of MC&FP, Traffic Impact Fees, State Local Partnership Program, Regional Surface Transportation Program, State Highway Operation and Protection Program funds, and Road Fund.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair’s signature on the original Agreement.
- 2) The Clerk of the Board will forward the original of the Agreement to Transportation, Fairlane Engineering, Attn: Shanann Findley, for further processing.

### **TRANSPORTATION FOLLOW UP ACTIONS**

- 1) Transportation will send the original of the partially executed Agreement to PG&E for signature.
- 2) Upon receipt from PG&E, Transportation will return the fully executed original Agreement to the Clerk of the Board for its files.

### **STRATEGIC PLAN COMPONENT**

Priority: N/A

Action Item: N/A

### **CONTACT**

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Department of Transportation