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THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works

BOARD AGENDA # *C-3

Urgent

Routine

AGENDA DATE December 9, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Extend the Lapsing Date on State and/or Federal Allocated Funds on Several Active Projects for One Year and Authorize the Director of Public Works to Sign the Cooperative Work Agreement Spreadsheet

STAFF RECOMMENDATIONS:

1. Approval to extend the lapsing date on the Cooperative Work Agreement (CWA) for State and/or Federal allocated funds on several active projects for one year.
2. Authorize the Director of Public Works to sign the CWA spreadsheet on behalf of the County.

FISCAL IMPACT:

Public Works has six active projects at various levels of completion with State and/or Federal encumbrances totaling \$4,190,267.09 of which, there is an unliquidated balance totaling \$1,814,756.24. If the CWA is not signed by the County and approved by Caltrans, the County will be responsible to complete the work with its own funds.

BOARD ACTION AS FOLLOWS:

No. 2014-603

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Extend the Lapsing Date on State and/or Federal Allocated Funds on Several Active Projects for One Year and Authorize the Director of Public Works to Sign the Cooperative Work Agreement Spreadsheet

DISCUSSION:

Section 16304.3 of the California Government Code authorizes the Department of Finance (DOF) to extend state budget authority on all Local Assistance funding from six years to a maximum of eight years from the original year of the appropriation upon DOF approval. All Federal and State funds that pass through Caltrans Local Assistance must have available and active state budget authority to be eligible for reimbursement. When funding lapses the budget authority also lapses and the invoices are not eligible for reimbursement. The encumbrances will become inactive and de-obligated.

To prevent the funding from becoming de-obligated, Public Works has submitted to Caltrans the CWA spreadsheet, pending the Board of Supervisor's (BOS) approval. The spreadsheet provided the following information to Caltrans: reason for delay, obstacles for future completion, consequences if CWA is not approved, date funding will be liquidated if CWA is not approved, and Public Works' staff point of contact information. The current encumbrances, on those projects, are due to lapse on June 30, 2015 when the State fiscal year ends.

For Caltrans and the State to review and process the CWA, the BOS must approve the extension request. If the CWA is approved, funding must be reimbursed before the maximum extension period of eight years for a CWA. If the CWA is denied, Public Works will be fiscally responsible to fund the remaining balance.

This extension will provide Public Works the necessary time to finalize the work associated with each of the six projects and invoice Caltrans for the full amount. The six projects underway are 7th Street Bridge over Tuolumne River, Claribel Road at Roselle Avenue Intersection, Claribel Road Widening, Crows Landing at San Joaquin River, Hills Ferry Road Bridge Seismic Retrofit, and the Golden State at Golf and Berkeley Intersection Projects. The DOF will make its final determination by March 31, 2015.

POLICY ISSUES:

The recommended actions are consistent with the Board's priorities of providing A Well Planned Infrastructure System by completing the current phases of work left on each project utilizing the current funds allocated and moving forward to the next phase of work if applicable.

STAFFING IMPACT:

Public Works staff will oversee this action.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: (209) 525-4130

Approval to Extend the Lapsing Date on State and/or Federal Allocated Funds on Several Active Projects for One Year and Authorize the Director of Public Works to Sign the Cooperative Work Agreement Spreadsheet

ATTACHMENTS:

County Of Stanislaus, 2009-2010 District 10 Projects Lapsing on June 30, 2015 - Spreadsheet

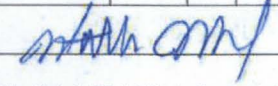
CV:djd

L:\TPC\Caltrans\CWA LAPSING FUNDS 2015\BOARD AGENDA ITEM

Attachment: L:\TPC\Caltrans\CWA LAPSING FUNDS 2015\FINAL County Projects Cycle 12 - Lapsing Funds 10-23-14 ctv

2009-10 District 10 Projects Lapsing on June 30, 2015

District	Agency	Work Performed and Location	Federal Project #	Project Code	Phase Code	Fund Description	Encumbrance Amount	Reimbursed	Unliquidated Balance	TUF Lapse Date	Requesting CWA (Yes/No)?	Delay Code	Reason for Delay	Obstacles to Future Completion	Consequences if CWA is not approved	Date Funding will be liquidated if CWA approved	Contact Name, Number, and email
10	Stanislaus County	Seismic Retrofit - Bridge Replacement at Crows Landing Rd @ San Joaquin River; Br # 38C0010	STPL2-5938(076)	100002051	4	Federal Lump Sum - 0890	\$ 1,265,273.09	\$ 1,089,654.05	\$ 175,617.04	N/A	Yes	2	Part of the process to bring a Design Consultant on-board requires going through Caltrans mandatory Audit review process for design contract over \$1 million dollars. This review and its approval are taking the better part of a year to be completed. This project was additionally delayed over 18 months due to NOAA/NMFS consultation reviews. Environmental documentation is extremely complex, time consuming and sensitive when crossing natural rivers and streams. This created a negative effect in halting future design and studies efforts, basically creating a stop-and-go effect on the project timeline.	Utility relocations and right-of-way process is continuing. Negotiations with property owners will begin in Winter of 2014. Need to partially relocate a Kinder-Morgan petroleum pipeline. Unknown timeline impacts at this point with that relocation.	LSSRP project - important seismic safety project as well as an important scour critical bridge. Bridge is seismically and scour vulnerable, bridge must be replaced for public health and safety.	May, 2016	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	New Signal, construct LT & RT Turn in all directions & install drainage facilities at Costello Rd at Rowell Ave. /S	CML-5938(181)	1000020170	5	Federal Lump Sum - 0890	\$ 300,000.00	\$ 78,040.57	\$ 221,959.43	N/A	Yes	1	Multi-agency coordination was needed to create a MOU which took some time to negotiate and finalized. County went through a design consultant solicitation process. The Consultant worked in developing an Intersection Control Evaluation process which required additional time and a change from the initial scope of work.	Environmental is on-going. ICE process favors a roundabout alternative. This may require FTIP/RTP modification.	~20,000 vehicles pass through this intersection daily. Air quality in the area will continue to diminish if improvements are not realized. Funding will be lost and project will be in jeopardy of not getting deliver to the public.	May, 2016	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	New Signals, construct LT & RT Turn Lanes in all directions & install of Drainage Facility at Cianbel Rd. at Coffee Rd. /S in Modesto.	CML-5938(184)	1000020173	5	Federal Lump Sum - 0890	\$ 350,000.00	\$ 118,042.84	\$ 231,957.16	N/A	Yes	3	We were working on three different design projects at the same time, with the intentions to bid all three of them under one construction project. We had design engineering, R-O-W and environmental conflict that delayed the project design for about 9 month. CWA guidelines states that an agency should request a CWA extension if an encumbrance will not be fully invoiced by December 31, 2014. We have pending invoices that will not make the December deadline.	None	Without the improvements, the citizens will not benefit from the expected decrease on delay travel time and significantly improving the air quality. Not approving the CWA extension will delay the construction phase, jeopardizing the construction schedule and its funding.	December, 2015	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace existing 2-lane bridge with new 4-lane bridge 7th St over Tuolumne River, Bridge 38C0023	BRLS-5938(167)	1000020520	5	Federal Lump Sum - 0890	\$ 1,106,625.00	\$ 852,998.28	\$ 253,626.72	N/A	Yes	1	The project started with the City of Modesto as the lead agency. After several years the County took over as the lead agency. This took time to re-group prepare and RFP to select a Consultant for Design Services and submit to Caltrans' Audit process for projects over \$1 million for design services which was a lengthy approval process. The additional delay has been in processing a complicated CEQA document, an Environmental Impact Report which, is the most complex of CEQA documents. Many studies are required and necessary for the completion of the environmental document.	Project is in environmental phase. This project is extremely complicated, as the bridge is a landmark bridge in California and one of the last bridges of its type. Environmental studies are underway. The NEPA target date is December 2015 as well as the EIR for CEQA.	Bridge carries 16,000 trips per day and is the lowest rated bridge in District 10 with a Sufficiency Rating of 2 out of 100. Bridge is nearly 100 years old, is scour critical, structurally deficient and functionally obsolete. It needs to be replaced in order to protect public health and safety. Bridge is wholly inadequate for pedestrians, the disabled and bicyclists.	March, 2016	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Construction of a Traffic Roundabout & Installation of Drainage Facilities in S Turlock Golden State Blvd/Golf Rd/Berkeley Ave. /S	CML-5938(183)	1000020172	5	Federal Lump Sum - 0890	\$ 350,000.00	\$ 15,164.61	\$ 330,835.39	N/A	Yes	1	Multi-agency coordination delivered an MOU. The co-applicant, the City of Turlock, needed additional time to re-structure and program their funding in the FTIP to provide their local match for the project. Due to this lapse of time, the County is now proceeding with a consultant selection process which required additional time and change from the initial scope.	Dealing with the railroad, utility relocation and R-O-W acquisition. It may also require a change of scope in the FTIP.	Not approving the extension will result in lost of funding and cancelling the project	May, 2016	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Seismic Retrofit: deck restrainers; modify footings; and retrofit columns on River Rd over San Joaquin River (Stanislaus/Merced County line)	BRLS-5938(176)	1000020163	5	Federal Lump Sum - 0890	\$ 818,371.00	\$ 217,640.50	\$ 600,730.50	N/A	Yes	1	This project is a share project between two counties. A Memorandum of Agreement (MOA) was prepared and approved by both, Stanislaus and Merced County in June 2011. There was a previous consultant working of this project who's contract was terminated due to the lack of progress on their work. A new RFP process took place and a new consultant was brought on-board at the beginning of 2012. Since then, the County has been working in close coordination with Caltrans in preparing and finalizing the Strategy Report for this project. Which was recently approved by Caltrans as part of the project's Phase I.	As with any river or waterways crossing, the environmental requirements are very extensive and its findings can easily cause delays while going through the permitting with the Federal and State agencies.	In addition to the lost of funding, all the dynamic and efforts created to continue to move forward will be lost. Potentially the Project could be cancelled wasting taxpayers dollars and keeping a bridge in dire need of safety improvements.	May, 2016	Charles T. Vasquez (209)525-4144, vasquezc@stancounty.com

Signature of Approving Agency's Board or Council: 

Print Name: Matthew Machado, P.E., L.S. Director, Department of Public Works

Date: 12/9/2014