

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

DEPT: Public Works *CB*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE November 17, 2015

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. Approve the extension of 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 \$2,190,946 with unliquidated balances totaling \$812,409. 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. 2015-569

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa
and approved by the following vote,

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

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*
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 passed 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 will submit the CWA Spreadsheet to Caltrans pending approval from the Board of Supervisors. 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, 2016 when the State fiscal year ends.

To request that Caltrans and the State review and process the CWA, the Board of Supervisors 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 project and invoice Caltrans for the full amount. The six projects underway are Tim Bell Road over Dry Creek Bridge, Gilbert Road over Turlock Irrigation District (TID) Ceres Main Canal, Cooperstown Road over Gallup Creek Bridge, Shiells Road over Central California Irrigation District (CCID) Main Canal Bridge, Cooperstown Road over Rydberg Creek Bridge, and Santa Fe Road over Tuolumne River Bridge.

The DOF will make its final determination by March 31, 2016.

POLICY ISSUES:

The recommended actions are consistent with the Board's priorities of A Safe Community, A Healthy Community, and 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) 525-4153

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

ATTACHMENT:

County Of Stanislaus, 2010-2011 District 10 Projects Lapsing on June 30, 2016 - Spreadsheet

CV:djd

L:\TPC\Caltrans\CWA LAPSING FUNDS 2016\BOARD AGENDA ITEM

Attachment: L:\TPC\Caltrans\CWA LAPSING FUNDS 2016\FINAL - 2016_STA-COUNTY_3-CWA 13-11102F Federal_10-06-2015ctv

2010-11 Projects Lapsing on June 30, 2016

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
District	Agency	Work Performed and Location	Federal Project #	Project ID	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 expended if CWA approved	Contact Name	Contact E-mail & Number
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Tim Bell Rd over Dry Crk, Br# 38C0073.	BRLO-5938(189)	1000020649	S	0890 - Federal Lump Sum	\$ 575,000	\$ 302,427	\$ 272,573	N/A	Yes	1	The consultant's fees exceed \$1 million which, was more than the initially estimated \$575,000 for PE. Pre-Award Audit was triggered and was completed December, 2012. On August 2013, the County awarded contract for partial PA&ED. Caltrans requested that the Consultant prepare Feasibility Report analyzing various alternatives solutions for this project. After a lengthy coordination and review process, on September 2015, Caltrans staff indicated that they will approve project strategy for Alternative 1 out of 4 alternatives presented.	This is a historic bridge, additional lengthy studies and coordination are necessary to document the historic nature of this bridge in order to comply with NEPA and SHPO requirements. Furthermore, the County is currently working with Caltrans DLAE to access the programmed funding necessary to fund the Consultant's full PS&E services. If there are any delays in securing additional funding, the Consultant may only perform work on the design phase on limited bases.	The County will not only lose the current funds but will not be able to secure the additional funds already programmed to continue with the full design phase of this project and advance to the construction phase.	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Gilbert Rd over Turlock Irrigation District (TID) Ceres Main Canal, Br 38C0150.	BRLO-5938(190)	1000020659	S	0890 - Federal Lump Sum	\$ 150,000	\$ 50,750	\$ 99,250	N/A	Yes	1	County staff started the work on this project, reduction in staff slow the the progress of the project. As a result in 2014, the County through an RFP process, hired a consultant to provide All-Inclusive bridge design engineering services that could handle all of the project phases during design, including environmental and RW. There was also a delay of time in coordinating the Field Review with all pertinent stake holders, agencies and/or departments.	No foreseeable obstacles at this point in project design.	This bridge is functionally obsolete due to it's narrow width causing unsafe crossing condition especially when wide-farm equipment is brought over the bridge, as a result replacement of this bridge is necessary to protect the public's safety	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Cooperstown Rd over Gallup Crk, Br# 38C0170.	BRLO-5938(191)	1000020660	S	0890 - Federal Lump Sum	\$ 290,000	\$ 170,351	\$ 119,649	N/A	Yes	4	The project have archeological resources present on site. The resources are defined as lithic scatter and there is an old road that runs through the project site. Extended Phase I Environmental work is proposed for this project to determine if other archeological resources exist below existing grade. Getting to a consensus with Caltrans on the extent of the Extended Phase I is what is delaying the project. Additionally the property owner is non-responsive to the County's request for Right of Entry necessary to perform surveys and geotechnical drilling.	Once the Extended Phase 1 Environmental work is completed, it's possible that additional archeological resources are found that could further delay the project. The property owner is non-responsive thus may pose an issue during final design and construction. Potentially getting into a litigation situation that will involve the courts to work on a resolution.	This bridge is structurally deficient and is deemed fracture critical, as a result, replacement of this bridge is necessary to protect the safety of the traveling public. Not approving the extension will not only impact the lost of funding but it will severely limit access to properties if the bridge fails. The road does not have multiple points of access.	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Shiells Rd over Central California Irrigation District (CCID) Main Canal, Br# 38C0180.	BRLO-5938(192)	1000020661	S	0890 - Federal Lump Sum	\$ 225,000	\$ 206,665	\$ 18,335	N/A	Yes	8	The project was originally awarded by Nolte and Associates. However Nolte and Associates was bought out by NV5 and the PM left shortly thereafter. The project switched PM a few more times over is the reason for the delay. We've been working with the current project manager which seems to be on track on advancing the project.	The only foreseeable obstacles at this point is potential delays due to coordination with the Central California Irrigation District	This bridge is structurally deficient and has scour issues, as a result replacement of this bridge is necessary to protect the traveling public. The County will continue its efforts to not lose the funding which ultimately will impact the residents.	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Cooperstown Rd over Rydberg Crk, Br 38C0257.	BRLO-5938(194)	1000020663	S	0890 - Federal Lump Sum	\$ 225,000	\$ 168,375	\$ 56,625	N/A	Yes	4	The project have both biological and archeological resources present on site. The biological resources are the California Tiger Salamander (CTS) and California Red Legged Frogs (CRLF). Additionally there are Bed Rock Mortars (BRMs) directly adjacent to the bridge. Preliminary discussions with Caltrans and State Historic Preservation Office (SHPO) concludes the BRM will be eligible for listing. As a result of the presence of the BRM's Caltrans has required the County perform an Extended Phase II work to define the limits of the BRM's as some may exist below the ground surface. However to perform the test pits for the Extended Phase II work the County will need a Biological Opinion regarding the CTS and CRLF. This work alone is going to take approximately 180 days. Overall coming to a consensus on how to handle these resources is what is delaying the project.	Once the Extended Phase 2 work is completed it's possible that additional archeological resources are found that could further delay the project. Additionally being that the BRM's are more than likely to be eligible for listing, the County and Caltrans will have to work with SHPO on how to mitigate the resource and will have additional requirement to comply with such as: preparing Finding of Effect document, Section 4f, etc.	Replacement of this bridge is necessary to protect the safety of the traveling public. Not approving the extension will not only impact the lost of funding but it will severely limit access to properties if the bridge fails. The road does not have multiple points of access.	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com
10	Stanislaus County	Replace 2-lane br w/ a standard 2-lane br on Santa Fe Rd over Tuolumne River, Br# 38C0003.	BRLO-5938(188)	1000020645	S	0890 - Federal Lump Sum	\$ 725,946	\$ 479,969	\$ 245,977	N/A	Yes	1,4	The project has many delays, due to consultation with NOAA/NMFS, Central Valley Flood Protection Board, USFWS etc. The County is also required to obtain a new general lease with the State Lands Commission which is adding a few months to the project schedule as they starting to implement Street and Highway Code Section 991. Caltrans has also asked the County to change the foundation type on the project as there are concerns of potential scouring of the driven pile design. This entails that the consultant to go back out and perform additional geotechnical drilling to obtain data for the design of Cast in Drill Hole foundations. Utility coordination is also delaying the project as a few utilities are non-responsive.	Difficulty with Right of Way offers and utility coordination can potentially delay the project further. Additionally if it is determined per Street and Highway Code Section 991 that public access to the river be made a part of this bridge replacement project it will delay this project an additional two years or, potentially stop the project for lack of funding to address the Code Section 991 above-mentioned.	This is a major north-south travel way in the County with a bridge that is seismically deficient. The Bridge must be replaced for the traveling public safety. Not getting the extension will most definitely stop the progress done in so far and will jeopardize the public safety and traffic delays due to long detours	06/30/17	Charles T. Vasquez	(209)525-4144, vasquezc@stancounty.com

Agency's Board or Council Signature: _____

Print Name: Matthew Machado, Director, Department of Public Works

Date: _____