

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

DEPT: Public Works

BOARD AGENDA # \*C-1

Urgent  Routine

AGENDA DATE January 5, 2016

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation for the State Route 99/State Route 219 Interchange Improvement Project

STAFF RECOMMENDATIONS:

1. Approve Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation (Caltrans) for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Improvement Project.
2. Authorize the Chairman of the Board of Supervisors to execute Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation (Caltrans) for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project.

FISCAL IMPACT:

On June 27, 2012, the California Transportation Commission (CTC) allocated \$37.1 million of State Route 99 Bond Savings money toward the construction phase of the interchange project. The existing Cooperative Agreement needs to be amended to include allocating \$13,500 in the construction phase for the County to reimburse Caltrans for performing Bridge Profilographing and Skid Testing services for the project. There are sufficient funds available in the allocated Bond Savings to cover the cost to reimburse Caltrans for this testing.

BOARD ACTION AS FOLLOWS:

No. 2016-18

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow

and approved by the following vote,

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

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 of Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation for the State Route 99/State Route 219 Interchange Improvement Project

**DISCUSSION:**

Stanislaus County, in cooperation with Caltrans District 10, is in the process of reconstructing the State Route 99/State Route 219 (Kiernan Avenue) Interchange in the community of Salida. This project is going to help facilitate future growth, help alleviate traffic congestion, and will improve the operation of this interchange. Increasing the efficiency of the interchange will also encourage the free flow of goods and services for the region and the State.

Stanislaus County Public Facilities Fees, environmental mitigation fees, and Proposition 1B funded the environmental, design, right-of-way phase, and utility relocations. The State Route 99 Bond Savings funds (\$37.1 million) will cover 100% of the construction management and construction phase of the project.

The existing Cooperative Agreement, which was originally approved on September 21, 2010, stipulates that the design work and right of way acquisitions completed for this project will be performed and paid for by Stanislaus County. The Cooperative Agreement also provides for designated responsibilities through construction of the project. Caltrans is providing Independent Quality Assurance (IQA) in their role as Lead Agency for the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) at no cost to the project.

Amendment No. 2 to Cooperative Agreement 10-355 amends the funding summary of the existing agreement, specifying the \$13,500 reimbursement to the State for costs associated with Bridge Profilographing and Skid Testing services. These are both specialized services that are required to be performed by local agencies for all newly constructed bridges. The responsibility for these services were not covered in the original cooperative agreement. Caltrans owns and operates the equipment required to perform these services. Therefore it is the most cost effective way to perform the services.

To ensure proper funding for these specialized services during construction of the interchange project, Public Works staff recommends that the Board of Supervisors approve Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation (Caltrans) for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Improvement Project.

**POLICY ISSUES:**

The recommended actions are consistent with the Board's priorities of providing a Safe Community and a Well Planned Infrastructure System by continuing with the construction efforts to improve this important transportation corridor into Stanislaus County.

**STAFFING IMPACT:**

There is no staffing impact associated with this item. Existing Public Works staff is managing the project.

Approval of Amendment No. 2 to Cooperative Agreement 10-355 with the State of California, Department of Transportation for the State Route 99/State Route 219 Interchange Improvement Project

**CONTACT PERSON:**

Matt Machado, Public Works Director. Telephone: (209) 525-4153.

**ATTACHMENTS:**

Cooperative Agreement - Amendment #2

CB/la

L:\ROADS\19207 - Hwy 99 @ Kiernan Interchange\PS&E\Board Items\19207\_Approve Coop Agreement Amendment #2 - Final.pdf

**AMENDMENT NO.2 TO AGREEMENT 355**

THIS AMENDMENT No. 2 (AMENDMENT), entered into and effective on January 20, 2016 is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and

Stanislaus County, a political subdivision of the State of California, referred to as COUNTY.

**RECITALS**

1. CALTRANS and COUNTY, collectively referred to as PARTNERS, entered into Agreement No. 355 (AGREEMENT) on December 16, 2010, defining the terms and conditions for reconstruction of the interchange at State Route (SR) 99/SR 219/Kiernan Avenue in and near the City of Salida, in Stanislaus County, referred to as PROJECT.
2. PARTNERS entered into Amendment No. 1 to AGREEMENT on September 20, 2012, to describe CALTRANS participation as a FUNDING PARTNER and to revise the FUNDING SUMMARY to describe this change.
3. AGREEMENT established that a Quality Management Plan is required and that as a part of the Construction Engineering and General Contract Administration scope, the COUNTY is responsible for conducting Independent Assurance Sampling and Testing as described in Scope Summary attachment item 270.35.15.
4. PARTNERS now seek to amend the AGREEMENT to allow CALTRANS to invoice the COUNTY for required construction engineering testing work. CALTRANS is the only entity with the necessary testing equipment and qualified personnel to perform certain required Construction Engineering Tests.
5. A new COST SUMMARY is attached and made part of this AMENDMENT.

**IT IS THEREFORE MUTUALLY AGREED:**

1. Article 79a is added to the AGREEMENT to read as follows:

Reimbursable costs for Construction Engineering Testing are identified in the COST SUMMARY table attached to this AGREEMENT.
2. A new COST SUMMARY is attached and made part of the AGREEMENT.
3. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
4. This AMENDMENT is deemed to be included and made part of the AGREEMENT.

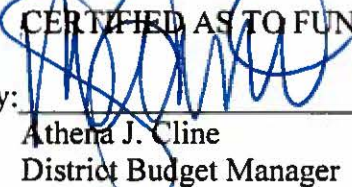
**SIGNATURES**

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA  
DEPARTMENT OF  
TRANSPORTATION


By:   
Dennis T. Agar  
District 10 Director

CERTIFIED AS TO FUNDS:  
By:   
Athena J. Cline  
District Budget Manager

APPROVED AS TO FORM AND  
PROCEDURE:

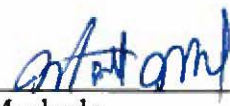
By:   
Attorney  
Department of Transportation


CERTIFIED AS TO FINANCIAL  
TERMS AND POLICIES:

By:   
Accounting Administrator  
Department of Transportation

STANISLAUS COUNTY

By:   
Dick Monteith  
Chairman of the Board of Supervisors

Attest:   
Matt Machado  
Director of Public Works

Attest:   
Christine Ferraro Tallman  
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND  
PROCEDURE:

By:   
~~John P. Doering~~ Amanda M. DeHart  
Stanislaus County Counsel  
Deputy

**COST SUMMARY**

<b>Testing Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Amount</b>
Bridge Profilographing – California Test 547	Lump Sum	8.25 days	\$1,200/day	\$9,900.00
Skid Testing – California Test 342	Lump Sum	3 days	\$1,200/day	\$3,600.00