

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF PROGRAM)
SUPPLEMENT AGREEMENT NO. R22) Resolution No. 2018-0649
WITH THE STATE OF CALIFORNIA) Agreement No. 28769

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR VANDER POEL, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 31, 2018, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY,
AND ENNIS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: Mary Ronello
Deputy Clerk

1. Approved Program Supplement Agreement No. R22 in the amount of \$260,000 with the California Department of Transportation for the Construction Phase of the Allensworth Elementary Sidewalk Improvements Project; and
2. Authorized the Chairman of the Board Supervisors to sign Program Supplement Agreement No. R22 on behalf of the County of Tulare.

RMA

HAR
07/31/2018



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: July 31, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Program Supplement Agreement No. R22 with the State of California

REQUEST(S):

That the Board of Supervisors:

1. Approve Program Supplement Agreement No. R22 in the amount of \$260,000 with the California Department of Transportation for the Construction Phase of the Allensworth Elementary Sidewalk Improvements Project; and
2. Authorize the Chairman of the Board Supervisors to sign Program Supplement Agreement No. R22 on behalf of the County of Tulare.

SUMMARY:

Tulare County was awarded funding for the Allensworth Elementary Sidewalk Improvements project through the 2017 Active Transportation Program (ATP). Funds for this program were made available through Senate Bill 1 - the Road Repair and Accountability Act Account (SB1). SB1 provides \$100 million annually to the State ATP beginning in Fiscal Year 2017-18.

The California Transportation Commission (CTC) selected the Allensworth Elementary Sidewalk Improvements project and approved \$260,000 of funding for the project through a competitive statewide selection process. On May 16, 2018, funds for the Construction Phase in the amount of \$260,000 was allocated and made available to the County by the CTC.

The Allensworth Elementary Sidewalk Improvements Project proposes to add new sidewalk sections, improve existing sidewalk sections, and add ADA ramps to provide

SUBJECT: Program Supplement Agreement No. R22 with the State of California
DATE: July 31, 2018

a safer pedestrian facility on both sides of Young Road (Road 81) fronting the Allensworth Elementary School. Furthermore, this project also includes resurfacing the exiting pavement and drainage improvements.

Adding sidewalk will provide a safe route for students traveling to and from the School and Child Care Center. As a rural community, roadway improvements like these will set the standard for future pedestrian infrastructure.

The Project Approval and Environmental Documentation Phase (PA&ED), Right of Way Phase (R/W) and Plan, Specifications, and Estimate (PS&E) Phase for this project has been completed. The authorization to bid was approved by the board on June 26, 2018.

FISCAL IMPACT/FINANCING:

No Net County Cost.

The PA&ED, RW, and PS&E phase for the Allensworth Elementary Sidewalk Improvements Project was funded by Road Funds budgeted for this project. The Construction Phase for this project is funded by \$260,000 of ATP Funds and Road Funds budgeted for this project.

A summary of the total project cost and funding sources for the Allensworth Elementary Sidewalk Improvements Project is as follows:

Engineering Design:	\$40,000
Estimated Construction (Including Contingency):	\$452,000
Construction Engineering:	\$50,000
<hr/>	
Total:	\$542,000

Funding Sources are as follows:

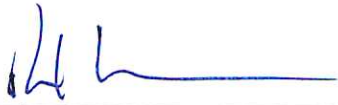
ATP Funds:	\$260,000
Road Funds:	\$282,000
<hr/>	
Total:	\$542,000

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This Project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

SUBJECT: Program Supplement Agreement No. R22 with the State of California
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ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s) Attachment A – Vicinity Map
Attachment B – Program Supplement Agreement No. R22

Attachment A – Vicinity Map



Allensworth Elementary 

Young Rd

Avenue 39

Avenue 36

Avenue 32




Road 84

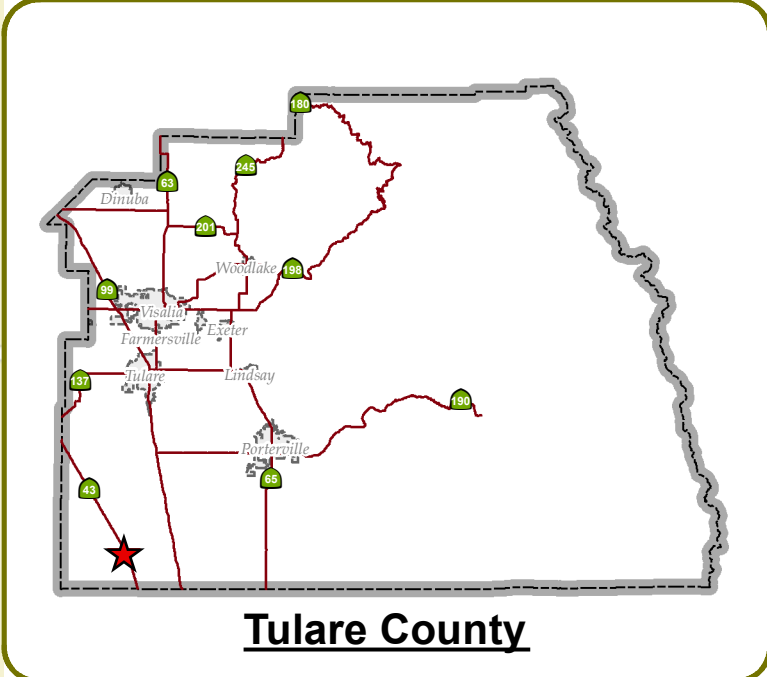
Road 84

43

Burlington Way

Legend

-  Project Site
-  Project Location
-  Tulare County Boundary



Tulare County



Attachment B
Program Supplement Agreement No. R22 with the
State of California

PROGRAM SUPPLEMENT NO. R22
to
**ADMINISTERING AGENCY-STATE AGREEMENT
FOR STATE FUNDED PROJECTS NO 00120S**

Adv Project ID **Date:** June 5, 2018
0618000150 **Location:** 06-TUL-0-CR
Project Number: ATPSB1L-5946(177)
E.A. Number:
Locode: 5946

This Program Supplement, effective 05/16/2018, hereby adopts and incorporates into the Administering Agency-State Agreement No. 00120S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of 07/21/08 and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the ADMINISTERING AGENCY on _____ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

PROJECT LOCATION:

Young Rd. in front of Allensworth Elementary School.

TYPE OF WORK: Construct sidewalks, curb and gutter, ADA Ramps, ADA complaint driveways and AC Paveouts.

Estimated Cost	State Funds		Matching Funds	
	SB1 funds		LOCAL	OTHER
\$385,361.00	\$260,000.00		\$125,361.00	\$0.00

COUNTY OF TULARE

By _____
Title _____
Date _____
Attest _____

STATE OF CALIFORNIA

Department of Transportation

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer  Date 6/7/18 \$260,000.00

APPROVED AS TO FORM:

COUNTY COUNSEL

By  20181143 7/12/18
Deputy

SPECIAL COVENANTS OR REMARKS

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. A. This PROJECT will be administered in accordance with the applicable CTC STIP guidelines and the Active Transportation Program guidelines as adopted or amended, the Local Assistance Procedures Manual (LAPM), the Local Assistance Program Guidelines (LAPG), and this PROGRAM SUPPLEMENT.

B. This PROJECT is programmed to receive State funds from the Active Transportation Program (ATP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. Unless otherwise determined, the effective date of the component specific allocation will constitute the start of reimbursable expenditures.

C. STATE and ADMINISTERING AGENCY agree that any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and STATE Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.

D. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. Funds transferred between allocated project components retain their original timely use of funds deadlines, but an approved time extension will revise the timely use of funds criteria for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof. Documentation will consist of a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

E. This PROJECT is subject to the timely use of funds provisions enacted by the Active Transportation Program guidelines, as adopted or amended, and by approved CTC and State procedures as outlined below.

Funds allocated for the environmental & permits (E&P), plan specifications & estimate (PS&E), and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District

SPECIAL COVENANTS OR REMARKS

Local Assistance Engineer immediately after project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract. Failure to do so will cause a delay in the State processing of invoices for the construction phase.

G. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits (E&P), plans specifications & estimate (PS&E), and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LAPM and the Active Transportation Program (ATP) Guidelines.

I. ADMINISTERING AGENCY indirect costs, as defined in 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, to be claimed must be allocated in accordance with an Indirect Cost Allocation Plan (ICAP), submitted, reviewed, and approved in accordance with Caltrans Audits and Investigations requirements which may be accessed at: www.dot.ca.gov/hq/audits/.

ADMINISTERING AGENCY agrees to comply with, and require all sub-recipients and project sponsors to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, and all applicable Federal and State laws and regulations.

ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., and all applicable Federal and State laws and regulations, shall be used to determine the allowability of individual PROJECT cost items.

Any Fund expenditures for costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, or 48 CFR, Chapter 1, Part 3, are subject to repayment by ADMINISTERING AGENCY to STATE. Should ADMINISTERING AGENCY fail to reimburse Funds due STATE within 30 days of demand, or within such other period as may be agreed in writing between the Parties hereto, STATE is authorized to intercept and withhold future payments due ADMINISTERING AGENCY from STATE or any third-party source, including, but not limited to, the State Treasurer, the State Controller, and the California Transportation Commission.

SPECIAL COVENANTS OR REMARKS

- J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to comply with all reporting requirements in accordance with the Active Transportation Program guidelines, as adopted or amended.
2. This PROJECT has received State Senate Bill1, Chapter 5, Statutes of 2017 (SB1) funds from Active Transportation Program (ATP). The ADMINISTERING AGENCY agrees to administer the project in accordance with the CTC Adopted SB1 Accountability and Transparency Guidelines.