



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: July 9, 2013

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"/>
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: Caltrans Program Supplement N070 for the Safety Project on Reservation Road from Avenue 138 to the Tule River Indian Reservation.

REQUEST(S):

That the Board of Supervisors:

1. Approve Program Supplement No. N070 to Administering Agency-State Agreement for Federal-Aid Project No.06-5946R for the Preliminary Engineering Phase of Reservation Road from Avenue 138 to the Tule River Indian Reservation in the amount of \$27,000; and
2. Authorize the Chairman of the Board of Supervisors to sign Program Supplement No. N070, subject to review and approval as to form by County Counsel, on behalf of the County of Tulare.

SUMMARY:

This Program Supplement authorizes \$27,000 of federal funding for the preliminary engineering phase of the Indian Reservation Road from Avenue 138 to the Tule River Indian Reservation Project (Project). The funding is provided by Federal Highway Safety Improvement Program (HSIP) funding sources with a required local match to be provided by the County Road Funds budget. Although the Program Supplement Agreement indicates the type of work to be to install guardrails, signs and pavement markings, this Program Supplement will reimburse the County for performing the engineering and preparing the environmental documents for this project. Once executed by the County and Caltrans, the County can begin requesting reimbursement for the Project's engineering costs and for the preparation of the environmental documents.

SUBJECT: Caltrans Program Supplement N070 for the Safety Project on Reservation Road from Avenue 138 to the Tule River Indian Reservation.

DATE: July 9, 2013

Reservation Road between Avenue 138 (near State Route 190 in Porterville) and the Tule River Indian Reservation was identified as a segment within the County with higher than average collision concentrations. The project will include the installation of traffic safety countermeasures to reduce collision frequency or severity of collisions. The countermeasures include upgrades to signage warning drivers of changing conditions such as sharp curves, improvements to advanced warning signs, addition of audible traffic warning striping (rumble tape) on the shoulders and median, solar speed feedback signage, and installation of road furniture or recovery zone clearing to minimize potential impact hazards.

The total cost of this project including preliminary engineering, construction and construction engineering is estimated at \$791,000. \$711,000 will be funded by the federal Highway Safety Improvement Program (HSIP) and the remaining \$80,000 will be funded by County Road Funds.

Once preliminary engineering is completed, staff will submit another request for authorization to proceed with construction to encumber the construction and construction engineering funding.

FISCAL IMPACT/FINANCING:

The cost of the preliminary engineering phase of this project is \$30,000. The federal share is \$27,000 which requires a \$3,000 local match. The \$3,000 local match will be funded by County Road Funds.

There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Strategic Initiative 1: Safety and Security includes the goal of improving and maintaining adequate transportation infrastructure. The improvement identified in the grant application meet the requirements of Strategic Initiative 1 by improving the safety of the motorists throughout the County.

DATE: July 9, 2013

Britt L. Fussell

Digitally signed by Britt L. Fussel
DN: cn=Britt L. Fussel, o, ou=RMA,
email=bfussel@co.tulare.ca.us, c=US
Date: 2013.06.23 08:56:47 -07'00'

06/23/13

BLF:km:br

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachments Attachment A – Project Vicinity Map
Attachment B – Program Supplement N070

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

IN THE MATTER OF CALTRANS)
PROGRAM SUPPLEMENT N070) Resolution No. _____
FOR THE SAFETY PROJECT ON) Agreement No. _____
RESERVATION ROAD FROM AVENUE)
138 TO THE TULE RIVER INDIAN)
RESERVATION)

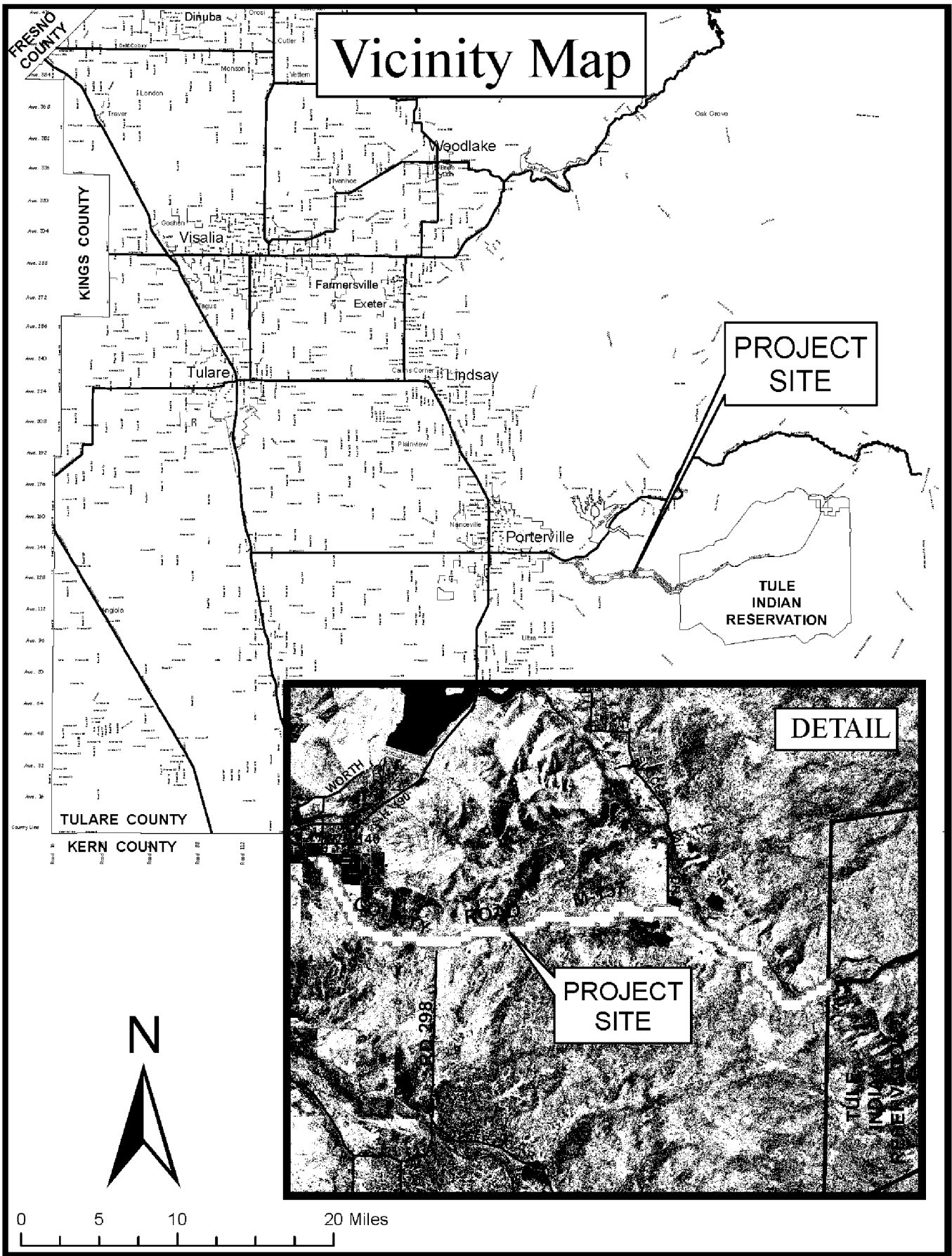
UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 9, 2013 BY THE
FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

1. Approved Program Supplement No. N070 to Administering Agency-State Agreement for Federal-Aid Project No.06-5946R for the Preliminary Engineering Phase of Reservation Road from Avenue 138 to the Tule River Indian Reservation in the amount of \$27,000; and
2. Authorized the Chairman of the Board of Supervisors to sign Program Supplement No. N070, subject to review and approval as to form by County Counsel, on behalf of the County of Tulare.



Project Vicinity Map

Attachment B

PROGRAM SUPPLEMENT NO. N070
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 06-5946R

Adv Project ID 0613000208
Date: April 16, 2013
Location: 06-TUL-0-CR
Project Number: HRRRL-5946(134)
E.A. Number:
Locode: 5946

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 01/19/07 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 obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Indian Reservation Rd (M137) from Ave. 138 to the Tule River Indian Reservation.

TYPE OF WORK: Install guardrail, signs, and pavement markings.

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	LS20		LOCAL	OTHER
\$30,000.00		\$27,000.00	\$3,000.00	\$0.00

COUNTY OF TULARE

STATE OF CALIFORNIA
Department of Transportation

By _____
Title _____
Date _____
Attest _____

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** 4/17/13' **\$27,000.00**

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

TO: **STATE CONTROLLER'S OFFICE**
Claims Audits
3301 "C" Street, Rm 404
Sacramento, CA 95816

DATE PREPARED:
4/16/2013
REQUISITION NUMBER / CONTRACT NUMBER:
RQS-2660-061300000575

PROJECT NUMBER:
0613000208

FROM: **DEPARTMENT OF TRANSPORTATION**

SUBJECT:
ENCUMBRANCE DOCUMENTS

VENDOR / CONTRACTOR:
COUNTY OF TULARE

CONTRACT AMOUNT:
\$27,000.00

PROCUREMENT TYPE:
LOCAL ASSISTANCE

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT BUDGETED FUNDS ARE AVAILABLE FOR THIS ENCUMBRANCE AND PURPOSE OF THE EXPENDITURE STATED ABOVE.

CHAPTER	STATUTES	ITEM	YEAR	PEC / PECT	TASK / SUBTASK	AMOUNT
21	2012	2660-102-0890	2012/2013	20.30.010.560	2620/0420	\$27,000.00

SPECIAL COVENANTS OR REMARKS

1. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
2. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

3. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
4. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of 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 invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

5. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if

SPECIAL COVENANTS OR REMARKS

PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

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 Local Assistance Procedures Manual.

6. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
7. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).