



**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:** August 12, 2014

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 for Road 182 over Deep Creek Bridge

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve an amendment to Tulare County Agreement No. 25406 (Program Supplement No. N060) by approving Program Supplement Agreement No. N060 Rev. 1 with the California Department of Transportation in the amount of \$288,000 for the preliminary engineering and right of way phases for the Road 182 over Deep Creek Bridge project; and
2. Authorize the Chairman of the Board Supervisors to sign Program Supplement Agreement No. N060 Rev. 1 on behalf of Tulare County.

**SUMMARY:**  
In May of 2014 Tulare County received federal authorization to proceed with the right of way (R/W) phase of the Road 182 over Deep Creek Bridge (Br. No. 46C-0404) project. The existing two lane structure built in 1946, will be replaced with a two lane 108-ft long by 36-ft wide cast-in-place flat slab bridge, accommodating two 12-ft lanes, and 4-ft shoulders.

This agreement will amend previously approved Tulare County Agreement No. 25406. A revised program supplement agreement, amending the previously approved program supplement agreement, was issued by the State because new legislation (MAP 21) resulted in the creation of a new funding appropriation for this project's right of way phase. This revised agreement will be used to fund all of the phases of the project, and identifies the new appropriation code for the project's

**SUBJECT:** Caltrans Program Supplement for Road 182 over Deep Creek Bridge  
**DATE:** August 12, 2014

right of way phase. Once this agreement is executed by the County and Caltrans, the County can begin requesting reimbursement for the project's right of way costs.

A prior agreement, identical except for the dollar value, was approved as to form by County Counsel and was approved by the Board of Supervisors on April 3, 2012. The deviations from the County contract protocol included in the prior agenda item were: none. The proposed agreement amendment does not include any additional deviations from the County contract protocol.

The only change from the prior agreement is the dollar amount of the agreement (increased from \$75,000 to \$288,000).

**FISCAL IMPACT/FINANCING:**

There is no net cost to the County General Fund.

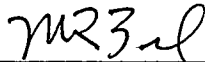
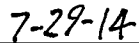
County Road Funds have been used to fund the preliminary engineering phase and will be used to fund the right of way phase, but will be fully reimbursed by Federal Highway Bridge Program funds in the amount of \$288,000. The Highway Bridge Program will fund this project at a 100% reimbursement ratio (no local match required).

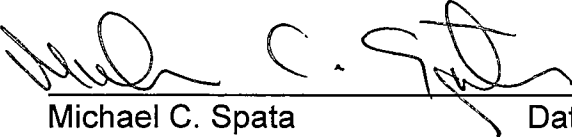
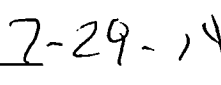
**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

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:** Caltrans Program Supplement for Road 182 over Deep Creek Bridge  
**DATE:** August 12, 2014

**ADMINISTRATIVE SIGN-OFF:**

   
\_\_\_\_\_  
Michael R. Bond, P.E.                      Date  
Interim Assistant Director—Public Works  
County Surveyor

   
\_\_\_\_\_  
Michael C. Spata                      Date  
Associate Director

MRB:br

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

Attachments(s): Attachment A: Vicinity Map  
Attachment B: Program Supplement Agreement No. N060 Rev. 1

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

IN THE MATTER OF CALTRANS )  
PROGRAM SUPPLEMENT FOR ROAD 182 ) Resolution No. \_\_\_\_\_  
OVER DEEP CREEK BRIDGE ) Agreement No. \_\_\_\_\_

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD AUGUST 12, 2014, BY THE  
FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

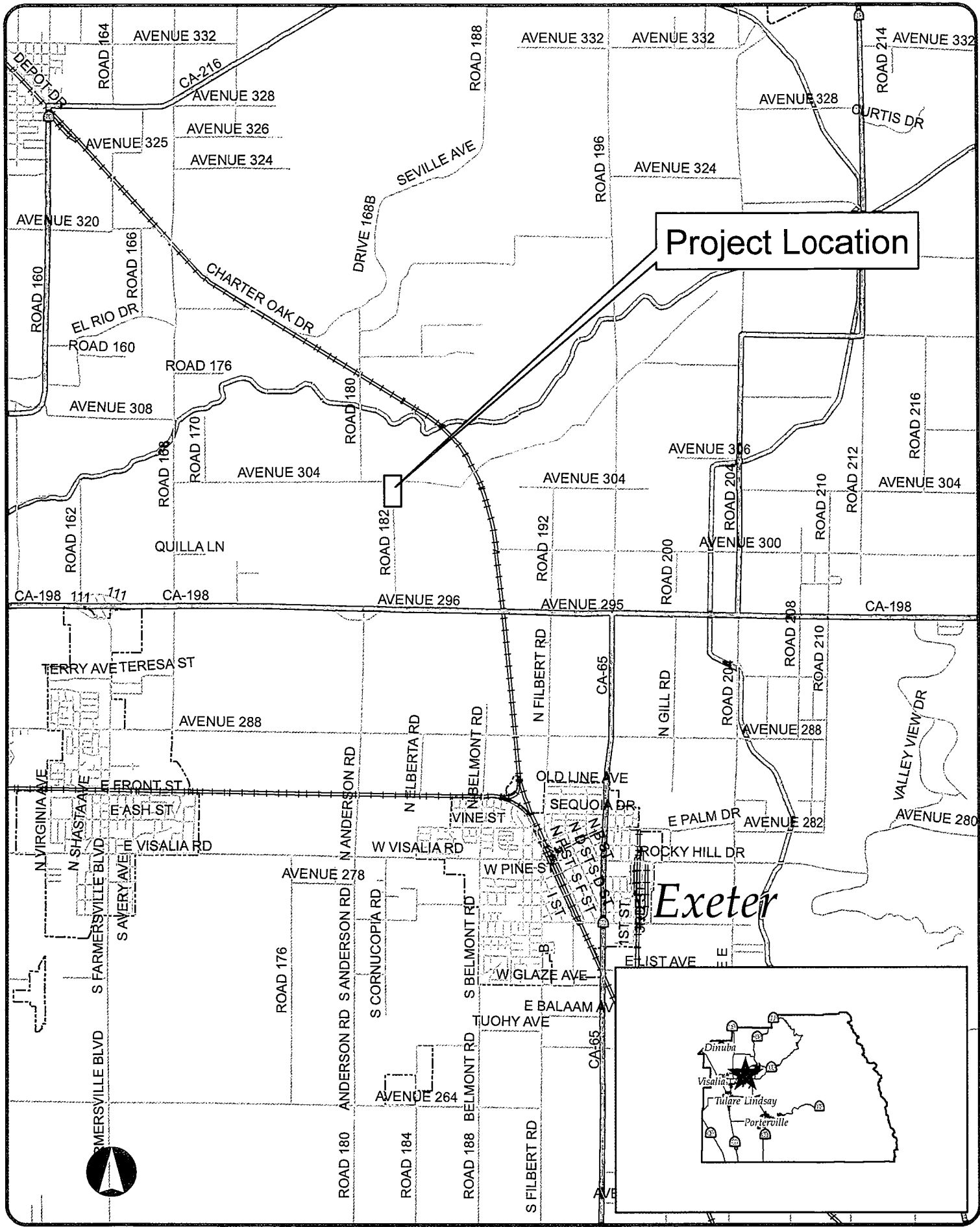
ATTEST: JEAN M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\*\*\*\*\*

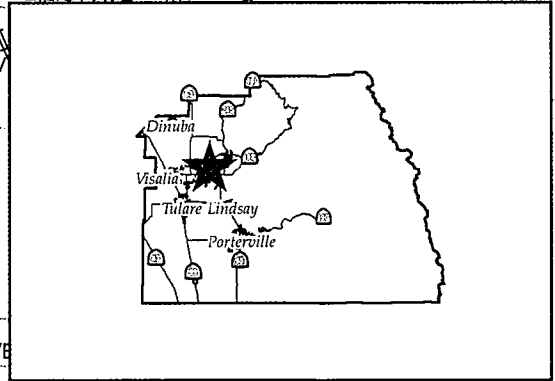
1. Approved an amendment to Tulare County Agreement No. 25406 (Program Supplement No. N060) by approving Program Supplement Agreement No. N060 Rev. 1 with the California Department of Transportation in the amount of \$288,000 for the preliminary engineering and right of way phases for the Road 182 over Deep Creek Bridge project; and
2. Authorized the Chairman of the Board Supervisors to sign Program Supplement Agreement No. N060 Rev. 1 on behalf of Tulare County.

## **Attachment A – Vicinity Map**



**Project Location**

*Exeter*



**Attachment B**  
**Program Supplement Agreement No. N060 Rev. 1**

**DEPARTMENT OF TRANSPORTATION**

Division of Local Assistance  
1120 N STREET  
P.O. BOX 942874, MS# 1  
Sacramento, CA 94274-0001  
TTY 711  
(916) 654-3883  
Fax (916) 654-2408



*Tulare County  
Resource Management  
Agency*

*JUN 20 2014*

File : 06-TUL-0-CR  
BRLO-5946(110)  
46C0404, ROAD 182 OVER DEEP  
CK OFF-SHOOT KAWEAH, 0.2 MI  
S OF AVE 304.

June 13, 2014

Mr. Jake Raper  
Director of Transportation  
Tulare County  
5961 South Mooney Blvd.  
Visalia, CA 93277

Attn: Mr. Benjamin Ruiz

Dear Mr. Raper:

Enclosed are two originals of the Program Supplement Agreement No. 060-N1 to Administering Agency-State Agreement No. 06-5946R.

**Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.**

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 60 days from the date of this letter. If the signed Agreements are not received back in this office within 60 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE PROJECT AND THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT. A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

A copy of the State approved finance letter containing the fund encumbrance and reversion date information will be mailed to you with your copy of the executed agreement.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,

*Christian P. Jensen*  
for JOHN HOOLE, Chief  
Office of Project Implementation - South  
Division of Local Assistance

Enclosure

c: DLA AE Project Files  
(06) DLAE - James Perrault



**PROGRAM SUPPLEMENT NO. N060 Rev. 1**  
**to**  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR FEDERAL-AID PROJECTS NO 06-5946R**

**Adv Project ID**            **Date:** June 4, 2014  
0600020680            **Location:** 06-TUL-0-CR  
**Project Number:** BRLO-5946(110)  
**E.A. Number:** 06-928529  
**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:**

46C0404, ROAD 182 OVER DEEP CK OFF-SHOOT KAWEAH, 0.2 MI S OF AVE 304.

**TYPE OF WORK:** Replace Two Lane Bridge with Two Lane Bridge

**LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
			LOCAL		OTHER
\$288,000.00	M233	\$75,000.00			
	L110	\$138,000.00			
	L1CE	\$75,000.00	\$0.00		\$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** 6/4/14

\$288,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION  
**PROGRAM SUPPLEMENT AND CERTIFICATION FORM**  
 PSCF (REV. 01/2010)

<b>TO: STATE CONTROLLER'S OFFICE</b> <b>Claims Audits</b> <b>3301 "C" Street, Rm 404</b> <b>Sacramento, CA 95816</b>	<b>DATE PREPARED:</b> <b>6/4/2014</b>	<b>PROJECT NUMBER:</b> <b>0600020680</b>
	<b>REQUISITION NUMBER / CONTRACT NUMBER:</b> <b>CT 065946060N</b>	

**FROM:**  
**DEPARTMENT OF TRANSPORTATION**

**SUBJECT:**  
**ENCUMBRANCE DOCUMENTS**

**VENDOR / CONTRACTOR:**  
**COUNTY OF TULARE**

**CONTRACT AMOUNT:**  
**\$288,000.00**

**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
712	2010	2660-102-0890	2011	20.30.010.300	2620/0420	\$75,000.00
33	2011	2660-102-0890	2012	20.30.010.300	2620/0420	\$138,000.00
20	2013	2660-102-0890	2014	20.30.010.300	2620/0420	\$75,000.00
<b>TOTAL</b>						<b>\$288,000.00</b>

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information, call (915) 654-6410 of TDD (916) -3880 or write Records and Forms Management, 1120 N. Street, MS-89, Sacramento, CA 95814.

**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 Exclusion List. Exclusions can be found at [www.sam.gov](http://www.sam.gov).