



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: April 7, 2009

SUBJECT: Adoption of Resolution No. _____ Authorizing the City Manager or Designee to Execute Program Supplement, Fund Exchange and Fund Transfer Agreements for Federal Aid Projects

Report in Brief

The City Council previously updated and approved the Federal Master Agreement on November 6, 2007 which allows the City to make use of Federal-administered funds for transportation projects. Program Supplements to the Federal Master Agreement are required by the Department of Transportation (Caltrans) for each individual project in order for the City to be reimbursed.

Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager or designee to execute Program Supplement, Fund Exchange and Fund Transfer Agreements for federal aid funded projects.

Background

The City of Woodland regularly applies for and receives grants for Federal funds to maintain, upgrade, or enhance the transportation system. In order to receive reimbursement for funds expended on approved projects, the City must have a current Federal Master Agreement and Program Supplement Agreements with Caltrans. On November 6, 2007, City Council approved the revised Federal Master Agreement.

Discussion

In order to use Federal funding, execution of Program Supplements to the revised Federal Master agreement are required for each project. Program Supplements are project specific and indicate individual project requirements.

The attached resolution must be executed to remain eligible for construction funds for the Casa Del Sol Mobile Home Park Offsite Improvements (CIP# 06-05) as well as other similarly funded projects.

Fiscal Impact

There is no specific budget impact associated with this Council action. Separate Council action will be required to allocate project matching funds for a specific individual project during the capital budget process. Delegation of the authority for the Program Supplement, Fund Exchange and Fund Transfer Agreements to the City Manager or designee does not include the authority to allocate funds.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager or designee to execute Program Supplement, Fund Exchange and Fund Transfer Agreements for Federal Aid Projects to the updated Federal Master Agreement.

Prepared by: Miguel Chavez
Assistant Engineer

Reviewed by: Michael Karoly
Senior Civil Engineer

Reviewed by: Barry Munowitch, AICP
Assistant City Manager

Mark G. Deven
City Manager

Attachment: 11/6/07 Council Communication, Federal Master Agreement
Resolution

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE PROGRAM SUPPLEMENT, FUND EXCHANGE AND FUND TRANSFER AGREEMENTS TO MASTER AGREEMENT NO. 03-5046R FOR FEDERAL AID FUNDED PROJECTS

BE IT RESOLVED by the City Council of the City of Woodland as follows:

WHEREAS, the City of Woodland is responsible for the maintenance and upgrade of the City's transportation system; and

WHEREAS, the City establishes various projects to maintain and upgrade the City's transportation system; and

WHEREAS, the City of Woodland is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and

WHEREAS, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed; and

WHEREAS, the City of Woodland wishes to delegate authorization to execute these agreements and any amendments thereto that the City Manager or designee be authorized to execute all Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto with the California Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that the City Manager or designee be authorized to execute the above mentioned agreements and/or amendments to the above named Master Agreement with the California Department of Transportation.

PASSED AND ADOPTED this 7th day of April, 2009 by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

Marlin H. Davies, Mayor

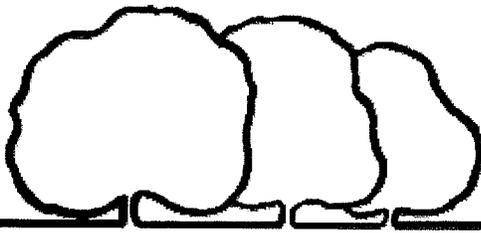
APPROVED AS TO FORM:

Andrew Morris, City Attorney

ATTEST:

Sue Vannucci, City Clerk

Dated: _____



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

10.

**TO: THE HONORABLE MAYOR
AND CITY COUNCIL**

DATE: November 6, 2007

SUBJECT: Approve Master Agreement with Caltrans
For Federal Aid Projects

Report in Brief

The City of Woodland regularly applies for and receives State and Federal aid grants for transportation projects. Current master agreements between the City and California Department of Transportation (Caltrans) are required in order for the City to receive reimbursement on project expenses. Caltrans has requested that an updated Federal Master Agreement be entered into between the City and Caltrans.

Staff recommends that the City Council adopt Resolution No. _____ approving the Master Agreement with Caltrans for Federal Aid Projects; and authorize the City Manager to execute the agreement on behalf of the City.

Background

The City of Woodland regularly applies for and receives grants for State and Federal funds to maintain, upgrade, or enhance the transportation system. In order to receive reimbursement for funds expended on approved projects, the City must have a current Federal and State Master Agreement with Caltrans.

The existing Federal Master Agreement is now seven years old and is no longer consistent with current transportation legislation. Therefore, Caltrans has requested that an updated Federal Master Agreement be entered into between the City and Caltrans.

If adopted and approved, the attached resolution and Federal Master Agreement must be executed and returned to Caltrans no later than November 21, 2007.

SUBJECT: Approve Master Agreements with Caltrans for Federal Aid Projects

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Discussion

Several changes have been made to the agreement that place an additional administrative burden on the City. These changes have caused the new agreement to increase from 16 pages to 26 pages. The agreement applies to any Federal funds authorized by Congress via the various Transportation programs such as Transportation Efficiency Act of 1991 (ISTEA) and subsequent Transportation Authorization Bills. The following paragraphs describe some of the more significant changes.

The Program Administration section changes include: processing requirements as well as deadlines for "Authorization/Agreement Summary" or Amendment/Modification Summary" requests; review of plans, specifications and estimates by State Architect for ADA compliance; requirements to comply with various State policies, procedures and standards for local projects as well as projects on the State highway system; and other administrative requirements.

The Maintenance and Management section changes include: requirement to enter into Maintenance and Management agreements with other jurisdictional entities if a project is within another entities jurisdiction.

The Fiscal Provisions section changes include either complete re-writes or entirely new language for 14 of the 24 paragraphs; ranging from CTC approval of all State obligations, to invoice submittal requirements along with submittal of backup documentation, to time deadlines for using State and Federal funds, to requirements to comply with State and Federal requirements for payment of various types of reimbursements.

The Audit, Third Party Contracting, Records Retention and Reports section was completely re-written and in general imposes the requirement that the City and its contractors and sub-contractors will cooperate in any State audit of the project records. The City is required to perform an audit if it receives more than \$500,000 in a single fiscal year. This agreement requires that the City obtain a bid on any construction work over \$10,000 (which is less than the City Ordinance bidding limit of \$30,000).

The Miscellaneous Provisions section changes include: requirement that funds must be spent on transportation projects in accordance with Article XIX of the California State Constitution and other Federal Regulations; City certifies that none of it's principals have been suspended or debarred; disputes under the Agreement will be decided by the State's Contract Officer; and termination provisions in the event that funds are not spent in accordance with the various project supplemental agreements and other official documents.

Exhibit A, Fair Employment Practices Addendum changes include: compliance with the State Fair Employment and Housing Act requirements and notifications to contractors and sub-contractors of these requirements; updated language to not discriminate on the basis of race, religion, age, disability, color, national origin or sex in accordance with Federal regulations (49 CFR Part 26). The City's Race-Neutral Agreement with Caltrans is incorporated by reference.

SUBJECT: Approve Master Agreements with Caltrans for
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Fiscal Impact

These federally funded projects require additional staff effort to manage the work in compliance with the various State and Federal regulations. Each project is also subject to audit either by a City hired auditor and/or by State auditors. We are also required to manage a DBE (Disadvantaged Business Enterprise) program in accordance with federal requirements for projects with federal funds. We have not quantified the additional effort required although at least one engineer is dedicated full-time to working on these types of projects. This is due to the extensive knowledge required of State and Federal rules and the time required to learn these requirements and keep up to date.

Each federally funded transportation project contains federal funds and a required local match that are used to implement the Federal Master Agreement. For instance, the I-5/CR102 Interchange Improvement Project (Project No. 97-24) has \$4.4 million federal funds and \$3.5 million local match programmed in the approved FY 07/08 Budget. The Lemen/North/East Realignment Project (Project No. 00-04) has \$450,253 federal funds and \$328,510 local match programmed in the approved FY 07/08 Budget.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council adopt Resolution No. _____ approving the Master Agreement with Caltrans for Federal Aid Projects; and authorize the City Manager to execute the agreement on behalf of the City.

Prepared by: Diana Ayón, Assistant Engineer
Michael Karoly, Sr. Civil Engineer

Reviewed by: Gary Wegener
Public Works Director


Mark G. Deven
City Manager

Attachments: Resolution
Updated Federal Master Agreement (2 originals)

CITY OF WOODLAND

RESOLUTION NO. _____

**A Resolution Approving and Authorizing Execution of the State and Local Agency
Master Agreement for Federal Aid Projects**

WHEREAS, the City of Woodland is eligible to receive Federal and/or State funding for certain Transportation Projects, through the State of California, Department of Transportation; and

WHEREAS, Master Agreements need to be executed with the State of California, Department of Transportation before such funds could be claimed; and

WHEREAS, the City of Woodland desires to enter into an agreement with the State of California, Department of Transportation, to allow the City to make use of State administered funds for federal aid transportation projects.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Woodland does hereby approve Master Agreement No. 03-5046R for Federal Aid Funded Projects; and

BE IT FURTHER RESOLVED, that the City Council authorizes the City Manager and the City Clerk of the City of Woodland sign the above named Master Agreement.

PASSED AND ADOPTED by the City Council of the City of Woodland this 6th day of November, 2007 by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

DAVID M. FLORY, MAYOR

ATTEST:

SUE VANNUCCI, CITY CLERK