

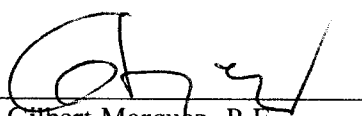


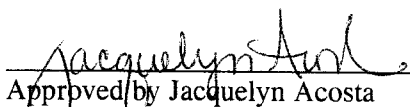
City of Carson

Report to Mayor and City Council

October 1, 2013
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 13-086, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE CONSTRUCTION PHASE OF PROJECT NO. 1362 [FEDERAL NO. STPL-5403(024)]: FIGUEROA STREET PAVEMENT RECONSTRUCTION FROM THE I-405 FREEWAY TO VICTORIA STREET


Submitted by Gilbert Marquez, P.E.
Acting Principal Civil Engineer


Approved by Jacquelyn Acosta
Acting City Manager

I. SUMMARY

The City of Carson is currently undertaking Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street (Exhibit No. 1).

A portion of funding for this project is provided by the Surface Transportation Program Local (STPL) federal fund. According to the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans), adoption of a resolution by the City Council authorizing the execution of the Program Supplement Agreement to Administering Agency-State Master Agreement No. 07-5403R between the state and the City is required (Exhibit No. 2).

Program Supplement Agreement No. N017 to Administering Agency-State Master Agreement No. 07-5403R obligates up to \$400,000.00 of the STPL federal fund for the Construction Phase of this project (Exhibit No. 3).

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 13-086, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE CONSTRUCTION PHASE OF PROJECT NO. 1362 [FEDERAL NO. STPL-5403(024)]: FIGUEROA STREET PAVEMENT RECONSTRUCTION FROM THE I-405 FREEWAY TO VICTORIA STREET.

III. ALTERNATIVES

1. DO NOT ADOPT Resolution No. 13-086.
2. TAKE another action the City Council deems appropriate. However, the City must execute program supplement agreements in order to receive federal funds for the Construction Phase of this project. No invoices for reimbursement can be submitted to the state until a program supplement agreement is fully executed.

IV. BACKGROUND

The City of Carson is currently undertaking Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street.

The funding for this project is provided by the STPL federal fund, which requires 11.47% matching funds from the City. The required matching fund and any other project costs such as printing, advertizing, soils investigation and material testing will be covered by the City's Measure "R" fund balance.

The City of Carson is entitled to receive approximately \$280,000.00 of STPL federal funds each federal fiscal year. These funds are subject to lapse if not obligated within three years of the original allocation date. As of the preparation of this agenda item, the City of Carson has a STPL fund balance of \$1,059,992.00, of which \$400,000.00 is obligated for this project. The remaining balance of \$659,992.00 will be utilized for future Capital Improvement Program projects. The City of Carson has no funds subject to lapse at this time.

In general, the Figueroa Street asphalt pavement is in very poor condition and now requires attention. Rehabilitation of this street will also restore ride quality, avoid excessive maintenance costs, restore pavement structural integrity, extend the service life of the road, and provide a safe route for commuters and heavy trucks. The total length of this project is approximately 0.53 mile.

Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street consists of grinding existing asphalt pavement and overlaying it with two inches of rubberized asphalt, which has superior benefits when compared with conventional asphalt, the removal and reconstruction of deteriorated sections of the roadway, pavement markings and re-striping, and other related work.

In accordance with the federal and state requirements, to be eligible for reimbursement, the project must be placed in a specific federal or state funding program, and the local agency must obtain authorization from Caltrans to proceed with each phase of the project.

In November 2012, a request was submitted to the Los Angeles County Metropolitan Transportation Authority (Metro) for this project to be added to the STPL federal fund project list. Metro compiles the list of state and federally funded projects, and then Caltrans processes the funding obligation and reimbursement.

On March 11, 2013, a request for authorization to proceed with construction was submitted to Caltrans. Caltrans' construction authorization, in the form of an E-76, and the execution of a Program Supplement Agreement to Administering Agency-State Master Agreement No. 07-5403R between the state and the City, will obligate up to \$400,000.00 of the STPL federal fund for the Construction Phase of this project.

On March 19, 2013, the City Council approved the Plans, Specifications and Estimates, and authorized staff to advertise the work immediately after issuance of authorization to proceed with construction by Caltrans, and called for bids for Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street (Exhibit No 4). On June 25, 2013, Caltrans authorized the City to proceed with construction and to advertise the work. The bid opening was set for July 30, 2013.

On August 6, 2013, the City Council awarded a Construction Contract for Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street, in the amount of \$593,799.00, to the lowest responsible bidder All American Asphalt, Inc. (Exhibit No 5).

The accomplished and anticipated timeline for this project is as follows:

Approval of PS&E	March 19, 2013
Caltrans' issuance of "Authorization to Proceed with Construction" in the form of an E-76	June 25, 2013
Advertise Notice Inviting Bids	June 27, 2013
Award of construction contract	August 6, 2013
Start of construction	September 16, 2013
Completion of construction	December 2013

V. FISCAL IMPACT

The total estimated construction cost of this improvement project is \$675,000.00. Funds in the amount of \$675,000.00 are included in the FY 2013/14 STPL federal and Measure "R" funds budgets.

The project funding sources, account numbers and amounts are as follows:

Fund Source	Account No.	Amount
STPL federal	20-80-999-851-8020/0136201	\$400,000.00
Measure "R"	54-80-999-003-8020/0136201	275,000.00
TOTAL		\$675,000.00

VI. EXHIBITS

1. Location Map. (pg. 5)
2. Resolution No. 13-086. (pg. 6)
3. Program Supplement Agreement No. N017. (pgs. 7-10)
4. Minutes, March 19, 2013, Item No. 12. (pg. 11)
5. Minutes, August 6, 2013, Item No. 29. (pg. 12)

G:\ENGINEERING DIVISION\PROJECTS\1362 Figueroa St. Pavement Reconstruction\Agendas\10-01-13 CC Program supplement Project No. 1362.docx

Prepared by: Massoud Ghiam, P.E., Senior Civil Engineer

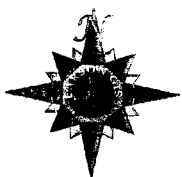
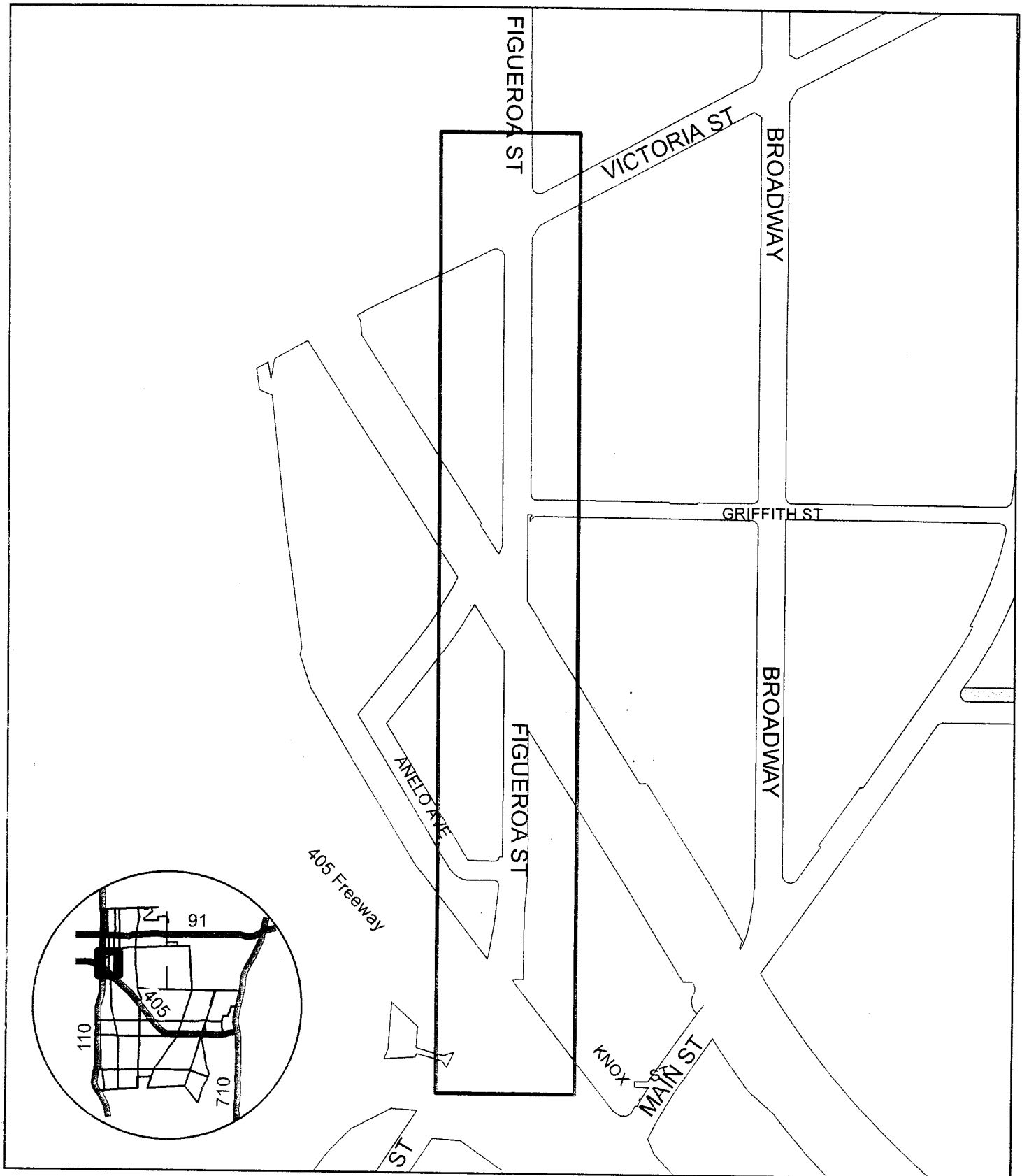
TO: Rev09-05-2013

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

Action taken by City Council

Date _____ Action _____



Location Map
Project No. 1362
Figueroa Street Pavement Reconstruction
I-405 Freeway To Victoria Street

EXHIBIT NO. 1



RESOLUTION NO. 13-086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE CONSTRUCTION PHASE OF PROJECT NO. 1362 [FEDERAL NO. STPL-5403(024)]: FIGUEROA STREET PAVEMENT RECONSTRUCTION FROM THE I-405 FREEWAY TO VICTORIA STREET

WHEREAS, Caltrans and City are required by the Federal Highway Administration to execute a Program Supplement Agreement to Administering Agency-State Master Agreement No. 07-5403R for Project No. 1362: Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street.

NOW, THEREFORE, be it determined by the City Council of the City of Carson, California, that:

Section 1. Program Supplement Agreement No. N017 to Administering Agency-State Master Agreement No. 07-5403R will permit the City to be reimbursed up to \$400,000.00 in Surface Transportation Program Local federal fund money for the construction phase of the Figueroa Street Pavement Reconstruction from the I-405 freeway to Victoria Street project.

Section 2. The supplement to the agreement described in Section 1 is hereby approved, the Mayor is hereby authorized to execute and the City Clerk to attest to the execution of the supplement, and the City Clerk is further authorized to deliver the executed supplement, together with a certified copy of this resolution, to the state of California.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2013.

Mayor Jim Dear

ATTEST:

City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney



PROGRAM SUPPLEMENT NO. N017
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 07-5403R

Adv Project ID 0713000295 **Date:** August 28, 2013
Location: 07-LA-0-CRSN
Project Number: STPL-5403(024)
E.A. Number:
Locode: 5403

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 04/26/07 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:

Figueroa Street from I-405 to Victoria Street

TYPE OF WORK: Grind & Overlay existing Asphalt Pavement

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	L230	\$400,000.00	LOCAL	OTHER
\$589,807.00			\$189,807.00	\$0.00

CITY OF CARSON

STATE OF CALIFORNIA
Department of Transportation

By _____
Title _____
Date _____
Attest _____

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

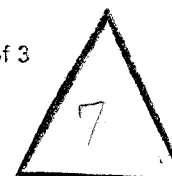
I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____

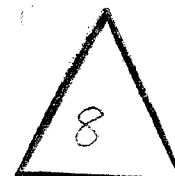
Date 8/28/13

\$400,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT



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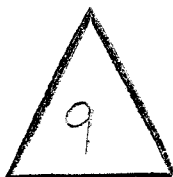
SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
2. 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).
3. 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 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.

4. 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.).
5. As a condition for receiving federal-aid highway funds for the PROJECT, the



SPECIAL COVENANTS OR REMARKS

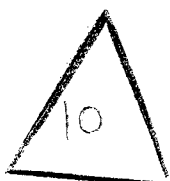
Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. 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.

7. 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.



ITEM NO. (12) CONSIDER APPROVAL OF PLANS, SPECIFICATIONS, AND ESTIMATES AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR PROJECT NO. 1362 [FEDERAL NO. STPL-5403(024)]: FIGUEROA STREET PAVEMENT RESTORATION FROM THE I-405 FREEWAY TO VICTORIA STREET (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the plans, specifications and estimates, and order the work for Project No. 1362: Figueroa Street Pavement Restoration from the I-405 Freeway to Victoria Street.
2. MAKE the California Environmental Quality Act finding that the proposed Figueroa Street Pavement Restoration from the I-405 Freeway to Victoria Street is categorically exempt pursuant to Section 15301, 15301(c) and 15301(d) of the California Environmental Quality Act guidelines.
3. AUTHORIZE staff to record the "Notice of Exemption" in the office of the Los Angeles County Clerk, for Project No. 1362: Figueroa Street Pavement Restoration from the I-405 Freeway to Victoria Street.
4. AUTHORIZE staff to advertise the work and call for construction bids for Project No. 1362: Figueroa Street Pavement Restoration from the I-405 Freeway to Victoria Street.

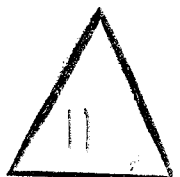
ACTION: Item No.12 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Ruiz-Raber, Council Member/Agency Member/Authority Commissioner Santarina, Council Member/Agency Member/Authority Commissioner Gipson, and Council Member/Agency Member/Authority Commissioner Davis-Holmes

Noes: None

Abstain: None

Absent: None



**ITEM NO. (29) CONSIDER AN AWARD OF A CONSTRUCTION CONTRACT
FOR PROJECT NO. 1362 [FEDERAL NO. STPL-5403(024)]:
FIGUEROA STREET PAVEMENT RECONSTRUCTION FROM
THE I-405 FREEWAY TO VICTORIA STREET (PUBLIC WORKS)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AWARD a Construction Contract for Project No. 1362: Figueroa Street Pavement Reconstruction from the I 405 Freeway to Victoria Street, in the amount of \$593.799.00, to the lowest responsible bidder, All American Asphalt, Inc..
2. AUTHORIZE the expenditure of a construction contingency, if necessary, in an amount not-to-exceed \$59,379.90(10%) for change orders such as the removal and remediation of contaminated soil, substructure conflicts, and other unforeseen construction work that may be required to complete this project.
3. AUTHORIZE the Mayor to execute the Construction Contract following approval as to form by the City Attorney.

ACTION: Approve staff recommendation on motion by Gipson, seconded by Dear.

Motion unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Santarina, Council Member/Agency Member/Authority Commissioner Gipson, Council Member/Agency Member/Authority Commissioner Davis-Holmes, and Council Member/Agency Member/Authority Commissioner Robles

Noes: None

Abstain: None

Absent: None

EXHIBIT NO. 05

