

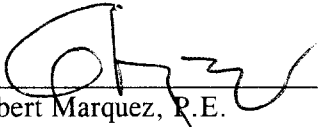


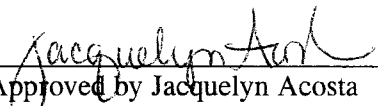
# City of Carson

## Report to Mayor and City Council

October 1, 2013  
New Business Consent

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 13-092, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N016 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE PRELIMINARY ENGINEERING PHASE OF PROJECT NO. 1435 [FEDERAL NO. HSIPL-5403(022)]: AVALON BOULEVARD / CARSON STREET INTERSECTION IMPROVEMENTS**

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

  
Approved by Jacquelyn Acosta  
Acting City Manager

### **I. SUMMARY**

The City of Carson is planning to undertake Project No. 1435: Avalon Boulevard / Carson Street Intersection Improvements (Exhibit No. 1).

A portion of funding for this project is provided by the Highway Safety Improvement Program Local (HSIPL) 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. N016 to Administering Agency-State Master Agreement No. 07-5403R obligates up to \$62,800.00 of the HSIPL federal fund for the Preliminary Engineering Phase of this project (Exhibit No. 3).

### **II. RECOMMENDATION**

WAIVE further reading and ADOPT Resolution No. 13-092, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N016 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE PRELIMINARY ENGINEERING PHASE OF PROJECT NO. 1435 [FEDERAL NO. HSIPL-5403(022)]: AVALON BOULEVARD / CARSON STREET INTERSECTION IMPROVEMENTS."

**III. ALTERNATIVES**

1. DO NOT ADOPT Resolution No. 13-092.
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 Preliminary Engineering 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 planning to undertake Project No. 1435: Avalon Boulevard / Carson Street Intersection Improvements.

The funding for this project is provided by the HSIPL federal fund, which requires 10% matching funds from the City. The required matching fund and any other project costs such as printing, advertng, soils investigation and material testing will be covered by the City's Measure "R" fund balance.

Project No. 1435: Avalon Boulevard / Carson Street Intersection Improvements consists of construction of a right turn lane from Avalon Boulevard northbound to Carson Street eastbound, construction of a right turn lane from Carson Street westbound to Avalon Boulevard northbound, modification of the traffic signal, and roadway pavement markings and re-striping.

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.

On June 20, 2012, staff submitted a HSIPL grant application to Caltrans for this project. On October 22, 2012, Caltrans approved the City's application and granted \$481,600.00 of HSIPL federal fund for the Preliminary Engineering Phase and the Construction Phase of this project. In January 2013, Caltrans added this project to the federal funds eligible list.

On May 6, 2013, a request for authorization to proceed with the Preliminary Engineering Phase 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 \$62,800.00 of the HSIPL federal fund for the Preliminary Engineering Phase of this project. The balance of \$418,800.00 will remain obligated for the Construction Phase of this project.

On August 5, 2013, the City Manager executed a Professional Services Agreement with Uniplan Engineering, Inc. to prepare plans, specifications and estimates (PS&E) for Project No. 1435: Avalon Boulevard / Carson Street Intersection Improvements, in the amount not-to-exceed \$24,850.00.

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

Caltrans' issuance of "Authorization to Proceed with Preliminary Engineering" in the form of an E-76	June 24, 2013
Approval of PS&E	December 2013
Caltrans' issuance of "Authorization to Proceed with Construction" in the form of an E-76	February 2014
Advertise Notice Inviting Bids	February 2014
Award of construction contract	April 2014
Start of construction	May 2014
Completion of construction	August 2014

**V. FISCAL IMPACT**

The total estimated construction cost of this improvement project is \$535,200.00. Funds in the amount of \$535,200.00 are included in the FY 2013/14 HSIPL federal and Measure "R" funds budgets.

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

<b>Fund Source</b>	<b>Account No.</b>	<b>Amount</b>
HSIPL federal	20-80-999-851-8020/0143501	\$481,600.00
Measure "R"	54-80-999-003-8020/0143501	53,600.00
<b>TOTAL</b>		<b>\$535,200.00</b>

**VI. EXHIBITS**

1. Location Map. (pg. 5)
2. Resolution No. 13-092. (pg. 6)
3. Program Supplement Agreement No. N016. (pgs. 7-10)

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

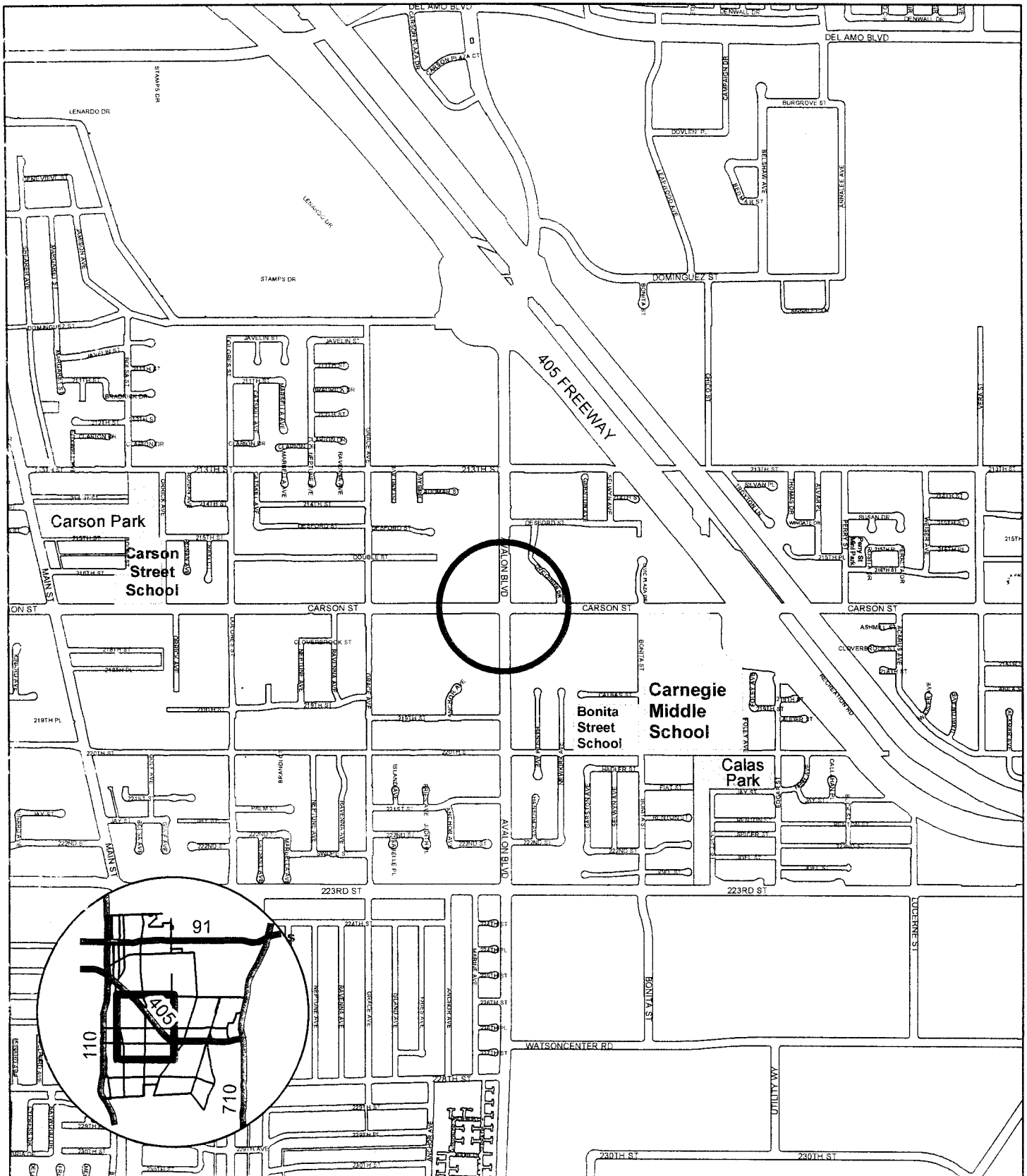
TO: Rev09-05-2013

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. 1435**  
**Avalon Boulevard/Carson Street**  
**Intersection Improvements**

**EXHIBIT NO. 1**

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RESOLUTION NO. 13-092

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N016 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 07-5403R FOR FEDERAL AID PROJECTS COVERING THE PRELIMINARY ENGINEERING PHASE OF PROJECT NO. 1435 [FEDERAL NO. HSIPL-5403(022)]: AVALON BOULEVARD / CARSON STREET INTERSECTION IMPROVEMENTS

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. 1435: Avalon Boulevard / Carson Street Intersection Improvements.

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

**Section 1.** Program Supplement Agreement No. N016 to Administering Agency-State Master Agreement No. 07-5403R will permit the City to be reimbursed up to \$62,800.00 in the Highway Safety Improvements Program Local federal fund money for the Preliminary Engineering Phase of the Avalon Boulevard / Carson Street Intersection Improvements 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.

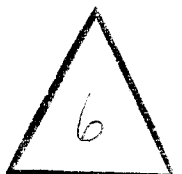
\_\_\_\_\_  
Mayor Jim Dear

ATTEST:

\_\_\_\_\_  
City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**PROGRAM SUPPLEMENT NO. N016**  
to  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR FEDERAL-AID PROJECTS NO 07-5403R**

**Adv Project ID** 0713000301  
**Date:** August 28, 2013  
**Location:** 07-LA-0-CRSN  
**Project Number:** HSIPL-5403(022)  
**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:**

Avalon Blvd and Carson Sreet Intersection

**TYPE OF WORK:** Construct two right turns, modify traffic signal and install pedestrian heads. **LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	MS30	\$62,800.00	LOCAL		OTHER
\$69,800.00			\$7,000.00		\$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 *Janice Chong* Date 8/28/13 \$62,800.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT



## Page 1 of 1

PROCUREMENT TYPE:  
**Local Assistance**





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.

