



STAFF REPORT

DATE: OCTOBER 16, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ROD FOSTER, CITY MANAGER *R. Foster*
PREPARED BY: AMER JAKHER, PUBLIC WORKS DIRECTOR *AJ*
SUBJECT: MOUNT VERNON AVENUE BRIDGE WIDENING PROJECT

RECOMMENDED ACTION

It is recommended that the City Council approve:

1. Adopting Resolution No. R-56-12 approving the Program Supplement Agreement No. N-015 to the Administering Agency-State Master Agreement No. 5065R, for the Mount Vernon Avenue over Union Pacific Railroad (UPRR) Widening Project (Bridge No. 54C-0101, Project No. HPLUL-5065-023) ("Project"); and authorize the City Manager or his Designee to sign the agreement and future amendments so long as such amendments are consistent with this authorization.
2. Adopting Resolution No. R-57-12, amending the Capital Improvement Program (CIP) budget for FY 2012/13 in the amount of \$3,054,800, for the Mount Vernon Avenue over Union Pacific Railroad (UPRR) Widening Project (Bridge No. 54C-0101, Project No. HPLUL-5065-023).

GOAL STATEMENT

The proposed action will support the City's goal to improve traffic circulation, infrastructure and safety.

BACKGROUND

The Mount Vernon Avenue Bridge over UPRR railroad tracks serves as a major link between the northeast parts of Colton known as the Cooley Ranch area. It also serves as an alternative route and arterial link between the I-10 and I-215 Freeways. The existing bridge is a two (2) lane concrete bridge. Since this bridge is in very close proximity to the I-10 Freeway eastbound on and off ramps, the lane capacity of the bridge is not sufficient, especially during the morning and afternoon peak hour traffic.

The scope of work of the widening project will add a structure to the existing bridge to accommodate two additional lanes, a shoulder/bikelane and a sidewalk.

ISSUES/ANALYSIS

The total Preliminary Engineering (PE) funding for this Project is \$3,054,800. The City has received two types of Federal funding for this Project: High Priority Project (HPP) funding in the amount of \$1,439,839 and Highway Bridge Program (HBP) funding in the amount of \$1,111,052. These funds are intended for Preliminary Engineering that will include project approval, environmental documents, right of way certification, final Plan, Specification and Estimate (PS&E)

On July 16, 2012, the City received the authorizing document (E-76) to proceed with the Preliminary Engineering phase of the Project. The City is required to execute Program Supplement Agreement No. N-015 (Exhibit A), to submit an invoice to Caltrans for reimbursement of any eligible expenses that will be incurred for the PE phase of this Project.

FISCAL IMPACTS

The total Preliminary Engineering funding is \$3,054,800 with the following breakdown:

HPP = \$1,439, 839 (Federal-80.00%) + \$359,961 (Local-20.00%) = \$1,799,800
<u>HBP = \$1,111,052 (Federal-88.53%) + \$143,949 (Local-11.47%) = \$1,255,000</u>
Total PE Funding = \$3,054,800

The total required local match is \$503,909. If approved, local match for the project will be funded through SANBAG Measure I Street/Arterial Program Fund with the following breakdown:

FY2012-2013	=	\$370,860
FY2013-2014	=	\$ 48,090
<u>FY2014-2015</u>	=	<u>\$ 84,959</u>
TOTAL	=	\$503,909

Funds expended by the City for eligible and approved costs are reimbursable through the HBP, HPP and Measure I Valley Street and Freeway Interchange Program funds. Resolution R-57-12 will appropriate the above mentioned funding to this project.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

Resolution No. R-56-12 – Approving Program Supplement Agreement
Resolution No. R-57-12 – Amending CIP Budget
Exhibit A – Program Supplement No. N-015 for Bridge No. 54C-0101 (HPLUL-5065-023)

Resolution R-56-12
Approving Program Supplement Agreement

RESOLUTION NO. R-56-12

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE PROGRAM SUPPLEMENT AGREEMENT NO. N-015 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 5065R FOR THE MOUNT VERNON AVENUE OVER UNION PACIFIC RAILROAD TRACK BRIDGE WIDENING PROJECT

WHEREAS, the City Council of the City of Colton desires to improve the safety of the bridges within City jurisdiction; and

WHEREAS, the City of Colton has received High Priority Project (HPP) and Highway Bridge Program (HBP) Funding for the Mount Vernon Avenue Over Union Pacific Railroad Track Bridge Widening Project; and

WHEREAS, the City of Colton has received authorization from Caltrans to proceed with the Preliminary Engineering for the Mt. Vernon Avenue Over Union Pacific Railroad Track Bridge Widening Project; and

WHEREAS, the State requires that the Program Supplement Agreement No. N-015 to Administering Agency-State Master Agreement No. 5065R be fully executed by the City and the State before any invoices for reimbursement can be processed; and

WHEREAS, the State requires that the City adopt and attach a resolution identifying the project and the official authorized to execute the Program Supplement Agreement No. N-015 to the Administering Agency-State Master Agreement No. 5065R; and

NOW, THEREFORE, be it resolved that the City Council of the City of Colton does hereby authorize the City Manager or his designee to execute the Program Supplement Agreements No.N-015 to the Administering Agency-State Master Agreement No. 5065R for the Mt. Vernon Avenue Over Union Pacific Railroad Track Bridge Widening Project.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF OCTOBER, 2012.

SARAH S. ZAMORA, MAYOR

ATTEST:

EILEEN C. GOMEZ, CITY CLERK

Resolution No. R-57-12

CIP Amendment

RESOLUTION NO. R-57-12

1 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND**
2 **THE FISCAL YEAR 2012/2013 CAPITAL IMPROVEMENT BUDGET TO**
3 **APPROPRIATE 3,054,800 FOR THE MOUNT VERNON AVENUE OVER UPRR**
4 **BRIDGE WIDENING PROJECT FROM HIGH PRIORITY PROJECT (HPP),**
5 **HIGHWAY BRIDGE PROGRAM (HBP) AND MEASURE I - VALLEY STREET**
6 **AND FREEWAY INTERCHANGE PROGRAM FUNDS.**

7 **WHEREAS,** the City of Colton has received Caltrans administered Federal High Priority
8 Project (HPP) and Highway Bridge Program (HBP), and Measure I - Valley Street and Freeway
9 Interchange Program funding for the Mount Vernon Avenue Over UPRR Bridge Widening
10 Project; and

11 **WHEREAS,** SAFETEA-LU made States eligible to use Federal HBP Funds (23 U.S.C.
12 144d) and HPP Funds (23 USC 117); and

13 **WHEREAS,** Through the HBP and HPP, Caltrans issues grants to owners of local
14 bridges for replacement of structurally deficient or functionally obsolete bridges. The City of
15 Colton will be completely reimbursed for the engineering design/environmental assessment phase
16 of the project, with HBP providing 88.53% and HPP providing 80% of the funding, and the
17 11.47% and 20% local match respectively being provided by the Measure I - Valley Street and
18 Freeway Interchange Program funding; and

19 **WHEREAS,** The Mount Vernon Avenue Over UPRR Bridge Widening Project is listed
20 in FY2013/2014 – 2017/2018 Capital Project Needs Analysis (CPNA): A five-year plan of capital
21 project needs for each program included in the San Bernardino Associated Government San
22 Bernardino Valley Expenditure Plan; and

23 **WHEREAS,** On October 16, 2012, the City Council adopted Resolution No. R-67-12
24 approving the submittal of FY 2013/14 –2017/18 CPNA to SANBAG for the Valley Street and
25 Freeway Interchange Program; and

26 **WHEREAS,** Funds expended by the City for eligible and approved costs for the Mount
27 Vernon Avenue Over UPRR Bridge Widening Project are reimbursable through the HPP, HBP
28 and Measure I Valley Street and Freeway Interchange Program funds; and

WHEREAS, a budget appropriation for approved activities, not listed in the 2012-2013

Fiscal Year budget is required and must be approved by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF COLTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The Recital preceding in this Resolution are true and correct and are incorporated into this Resolution by reference.

Section 2 The City Council authorizes and appropriation of \$3,054,800. As an adjustment to the Fiscal Year 2012-213 budget as follows:

- Increase expenditure account 450-1307-6897-3890 in the amount of \$3,054,800.
- Increase revenue account 450-5993-225 in the amount of \$3,054,800.
- Increase revenue account 225-5886-000 in the amount of \$3,054,800.
- Increase expenditure account 225-1000-1000-5993-0004-450 in the amount of \$3,054,800.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF OCTOBER 2012.

SARAH S. ZAMORA, MAYOR

ATTEST:

EILEEN C. GOMEZ, CITY CLERK

Exhibit A
Program Supplement Agreement

PROGRAM SUPPLEMENT NO. N015
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 08-5065

Adv Project ID 0800020173 **Date:** June 30, 2012
Location: 08-SBD-0-COL
Project Number: HPLUL-5065(023)
E.A. Number: 08-925178
Locode: 5065

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 12/09/08 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:

Mount Vernon Avenue over the Union Pacific Railroad (UPRR) tracks and Mission Street, Br. No. 54C-0101

TYPE OF WORK: Rehabilitate and widen bridge to four lanes

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
			LOCAL	OTHER
\$3,054,800.00	HY10	\$273,751.00		
	L1CE	\$1,111,052.00		
	LY10	\$1,166,088.00	\$503,909.00	\$0.00

CITY OF COLTON

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 *Tashira Woy* Date 6/30/12 \$2,550,891.00

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. In the event that right of way acquisition for or construction of this project of the initial federal authorization for preliminary engineering is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the ADMINISTERING AGENCY shall repay the Federal Highway Administration through Caltrans the sum of Federal funds paid under the terms of this agreement.
4. 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.

5. 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

SPECIAL COVENANTS OR REMARKS

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.).

6. 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).
7. 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.

8. 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.