



City of Rialto

Legislation Details (With Text)

File #: 17-1082 **Version:** 1 **Name:**
Type: Resolution **Status:** Agenda Ready
File created: 11/15/2017 **In control:** City Council
On agenda: 12/12/2017 **Final action:**
Title: Request City Council to (1) Adopt Resolution No. 7252 Authorizing the Public Works Director/City Engineer to Execute Various Documents Required for Transportation Projects with State and Federal Funding, Including Right-of-Way Certifications; (2) Adopt Resolution No. 7253 Adopting the Caltrans Local Assistance Procedures for Architectural and Engineering Consultant Selection and Procurement for Services Related to Federal- and State-Funded Transportation Projects.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1-Resolution No.5700, 2. Attachment 2-LAPM Chapter 10, 3. Resolution-Master and Supplement Agreements, 4. Resolution-LAPM 11-21-17

Date	Ver.	Action By	Action	Result
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For City Council Meeting [December 12, 2017]

TO: Honorable Mayor and City Council

APPROVAL: Michael E. Story, City Administrator

FROM: Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request City Council to (1) Adopt **Resolution No. 7252** Authorizing the Public Works Director/City Engineer to Execute Various Documents Required for Transportation Projects with State and Federal Funding, Including Right-of-Way Certifications; (2) Adopt **Resolution No. 7253** Adopting the Caltrans Local Assistance Procedures for Architectural and Engineering Consultant Selection and Procurement for Services Related to Federal- and State-Funded Transportation Projects.

BACKGROUND:

On May 26, 2009, City Council adopted Resolution 5700 which authorized the Public Works Director/City Engineer to execute various State and Federal Transportation Program Documents required for Highway Projects Including Street Right-of-Way Certifications. Often, routine documents such as Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Right-of-way Certifications are required and need to be executed and returned to the California Department of Transportation (Caltrans) as part of the Local Assistance approval process prior to receiving authorization to proceed. These often require a fast turnaround to avoid delays to projects. A copy of the current Resolution is included as **Attachment 1**. The City has been advised that while the current resolution provides the required authority, they are requesting a new resolution based upon the age of the current resolution. Caltrans Local Assistance requested that the City adopt a new resolution that authorizes execution of documents related to grant funding agreements and other certifications.

In addition, Caltrans has adopted new procedures for selection and award of contracts to Architectural and Engineering (A&E) consultants that will be working on federal- or state-funded projects. The new procedures adopted by Caltrans require local agencies to accept and adopt the guidelines outlined in the Local Assistance Procedures Manual (LAPM) related to procurement and management of A&E consultants on state and federally funded projects.

ANALYSIS/DISCUSSION:

The City's Public Works Department is the entity that is charged with the responsibility of interacting with the State of California Department of Transportation (Caltrans) and managing state and federally funded transportation projects. Local, state and federal procedures require that the City's representative be licensed as a Professional Registered Civil Engineer with the State of California. The City's designated representative with regard to state and federal transportation funding is the City Engineer.

With the addition of new guidelines and procedures in the LAPM regarding procurement of A&E services, Caltrans now requires local agencies to adopt the guidelines and procedures for all state and federally funded projects. Before awarding a consultant contract, City staff will be required to complete a comprehensive and detailed information form that will be reviewed and approved by Caltrans staff. Therefore, Caltrans Local Assistance is requesting that local agencies adopt the new policies outlined in Chapter 10 of the LAPM. A copy of LAPM Chapter 10 is included as **Attachment 2**.

Additionally, since the Public Works Director/City Engineer oversees the activities of the Public Works Department, it is appropriate for this position to have the authority to review and execute routine documents related to State and Federally funded transportation projects. Other State or Federal documents which are not routine in nature, such as Cooperative Agreements or Amendments to such agreements, require Council approval and will be executed by the Mayor.

ENVIRONMENTAL IMPACT:

The proposed request is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY:

Approval of this action complies with the following City of Rialto General Plan Goals and Policies:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report and resolutions.

FINANCIAL IMPACT:

There is no financial impact as a result of this report.

RECOMMENDATIONS:

Staff recommends that the City Council:

- Adopt the Resolution authorizing the Public Works Director/City Engineer to execute various Stated and Federal Transportation Program documents required for Highway Projects including Right-of-Way Certifications.
- Adopt the Resolution adopting the Caltrans Local Assistance Procedures for Architectural and Engineering consultant selection and procurement for services related to federal- and state-funded transportation projects.