



City Council

Staff Report

TO: Honorable Mayor and City Council

FROM: John Jansons, City Manager *JJJ*

DATE: November 14, 2016

SUBJECT: Resolution 2016-046 Approving Measure R Supplemental Agreement for South Farmersville Blvd

RECOMMENDED ACTION:

It is respectfully recommended that the City Council review the following supplemental Agreement with Tulare County Association of Governments (TCAG) for Measure R funding of South Farmersville Blvd Pedestrian Improvements and Bus Turnaround project and approve the Supplemental Agreement vis draft Resolution 2016-046.

BACKGROUND:

On November 7, 2006, the voters of Tulare County approved Measure R, imposing a ½-cent sales tax for transportation within the incorporated and unincorporated area of Tulare County through 2037. The transportation sales tax funds are spent in accordance with the Expenditure Plan that resulted from a joint effort among all the cities and the County of Tulare. The Expenditure Plan reflects the transportation needs of the residents of Tulare County. The plan includes funding for Regional Projects, Local Programs, Transit/Bike/Environmental Programs and Administration. The funds are distributed as follows:

1. Regional Projects (50%)
2. Local Programs (35%)
3. Transit/Bike/Environmental (14%)
4. Administration and Planning Program (1%)

DISCUSSION:

In order to progress on this project, funded in part by Measure R, a supplement to our original Measure R agreement with TCAG is required. This project, like many recent road projects are either are completely reimbursed from differing funding sources or, at most, have a small matching amount from the City that also comes from our Local Measure R Allocation received

monthly from TCAG. Thus the impact to the City financially is minimal but what the City gains from the projects as an end result is significant.

The South Farmersville Blvd Pedestrian Improvements and Bus Turnaround project originally had a supplemental agreement set in place on December 22, 2014 (Resolution 2014-063) which was then superseded on November 9, 2015 by way of resolution 2015-44 because of the changes in the revised cost estimate from Quad Knopf. The revisions were needed because several changes were made after consulting with TCAG and CalTrans regarding their requirements for the project.

The result of those changes, allowed our staff to work with TCAG and shift funding from ROW costs, which were no longer needed, to cover additional costs with construction and engineering which was needed due to the new design.

Now, another revision is required that we are closer to construction of the project. Estimates are now clearer to our engineers and staff at TCAG. In addition, this agreement fully accounts for all funding sources (including ATP from CalTrans). Since this was originally awarded in May 2016 it is critical to get this supplemental agreement in place to be able to award a contract by the deadline of November 30, 2016.

SUPERSEDING OF EXISTING SUPPLEMENTAL AGREEMENT IN PLACE FOR SOUTH FARMERSVILLE BLVD IMPROVEMENTS			
Phase of work to be Funded	Existing Agreement Dated 12/22/14 (2014-063)	Revised Agreement Dated 11/09/15 (2015-044)	New Agreement Needed Dated 11/14/16 (2016-46)
Preliminary Engineering	33,481	67,991	84,410
Right of Way	115,035	0	0
Bus Turnaround	16,419	16,419	0
Construction	245,526	321,051	548,551
Construction Management	15,000	20,000	73,500
Total	\$425,461	\$425,461	\$706,461

Reimbursement for these expanded expenses are paid for through three sources:

Revenue	
Active Transportation Plan Cycle 1:	\$261,000
Measure R:	\$425,461
City of Farmersville:	\$20,000
Total:	\$706,461

The portion paid for by the City of Farmersville, as mentioned earlier, is paid for through our local allocation of Measure R funding. There is no general fund impact created by this project.

COORDINATION & REVIEW:

The Finance Department has worked extensively to cooperatively create these agreements side by side with TCAG finance and executive staff, and our City Engineers. These agreements have been reviewed and edited by all parties and by the City Manager's office.

ALTERNATIVES:

None Proposed

FISCAL IMPACT:

This agreement is critical to getting our important road improvements moving forward for the South Farmersville Blvd Pedestrian Improvements and Bus Turnaround project. As mentioned earlier, the portion paid for by the City of Farmersville, is paid for through our local allocation of Measure R funding and so there is no general fund impact created by this project. Additionally, this is our opportunity to leverage other funding through the ATP program which will allow Measure R funds to be used elsewhere benefiting all participants in the program.

Adopting this new agreement will be essential to preventing any delays and potentially additional costs associated with them.

CONCLUSION:

It is respectfully recommended that the City Council review the following supplemental Agreement with Tulare County Association of Governments (TCAG) for Measure R funding of South Farmersville Blvd Pedestrian Improvements and Bus Turnaround project and approve the Supplemental Agreement vis draft Resolution 2016-046.

Attachment(s): 2

1. Resolution 2016-46: South Farmersville Blvd Pedestrian Improvements and Bus Turnaround
2. South Farmersville Blvd Pedestrian Improvements and Bus Turnaround Agreement

Prepared By:

Respectfully Recommended By:

Steve Huntley
Finance Director



John Jansons
City Manager

DRAFT RESOLUTION NO. 2016-46

BEFORE THE CITY COUNCIL OF THE CITY OF FARMERSVILLE A RESOLUTION TO DIRECT THE CITY MANAGER TO SIGN A SUPPLEMENT TO THE MEASURE R PROGRAM COOPERATIVE AGREEMENT

WHEREAS, in November of 2006 the voters of Tulare County approved Measure R; and

WHEREAS, Measure R is a ½ cent sales tax that addresses the major regional, local, and transit/bike/environmental report transportation needs in Tulare County; and

WHEREAS, the City of Farmersville’s South Farmersville Boulevard Pedestrian Improvements and Bus Turnaround Project is funded with Measure R, Active Transportation Program, and local funds; and

WHEREAS, the City Council wishes to proceed with the revised project scope for the Design and Preliminary Engineering, Right of Way, design and construction for the actual bus turnaround; and

WHEREAS, there is an existing agreement with the Tulare County Association of Governments (TCAG) to reimburse the costs associated with this project through entered into by Resolution 2015-044 dated November 9, 2015; and

WHEREAS, the City Council wishes to supersede the prior agreement entered into with the Tulare County Association of Governments (TCAG), and

NOW, THEREFORE, IT IS ORDERED that the Farmersville City Council directs the City Manager to execute a supplemental agreement with TCAG that facilitates the Design and Preliminary Engineering, Right of Way, and design for the actual bus turnaround for the South Farmersville Boulevard Pedestrian Improvements and Bus Turnaround Project.

THE FOREGOING RESOLUTION WAS ADOPTED upon motion of _____ seconded by _____ at a regular meeting on this 14th day of November, 2016, by the following vote:

AYES: 0
NAYS: 0
ABSTAIN: 0
ABSENT: 0

BY:

ATTEST:

Paul Boyer, Mayor

City Clerk

**MEASURE R PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT**

This Program Supplement is made and entered into on 14 November 2016, by and between the CITY OF FARMERSVILLE ("SPONSOR") and the TULARE COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Local Transportation Authority ("AUTHORITY").

This Program Supplement hereby incorporates the "Measure R Cooperative Agreement" which was entered into between the SPONSOR and AUTHORITY on May 29, 2007 pursuant to SPONSOR Resolution No. 2007-053 and is subject to all terms and conditions thereof. This Program Supplement is executed under authority of SPONSOR Resolution No. 2016-046, approved by the SPONSOR on November 14, 2016.

This Program Supplemental is sought in order to fund the South Farmersville Boulevard Street Improvements Project through the State of California Active Transportation Program. The portion of the project cost to be funded by AUTHORITY under this Program Supplement shall not exceed \$425,461. This Program Supplement supersedes Program Supplement dated November 9, 2015 approved by city of SPONSOR Resolution No. 2015-44 also known as AUTHORITY Agreement Number R20151004.

Covenants of Sponsor

- 1.1 This Program Supplement shall not exceed \$425,461. Project Scope, Schedule and Costs are incorporated herein as Attachment "A" and agreed upon by SPONSOR and AUTHORITY. SPONSOR agrees that it will only proceed with work authorized for specific phase(s) with written "Authorization to Proceed" or AUTHORITY action and will not proceed with future phase(s) of this project(s) prior to receiving a written "Authorization to Proceed" or AUTHORITY action.
- 1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with SPONSOR standards.
- 1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY within 60 days after the project contract award.
- 1.4 Failure to submit award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the construction phase.
- 1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for each phase a written explanation of the absence of project(s) activity along with target billing date and target billing amount.

Authority Agreement Number _____

**MEASURE R PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT**

Attachment A

South Farmersville Boulevard Street Improvements Project

Project Scope

The Project will construct sidewalk to close pedestrian facility gaps on the east side and west side of Farmersville Boulevard between West Oakland Street and the southerly City Limit. The Project will also include construction of concrete bus turnaround adjacent to the City's park and concrete sidewalk for future bus stops. Other improvements will include curb, gutter, drive approaches, ADA-compliant ramps, cross gutters, storm drain system and pavement striping and markings.

Project Schedule

Preliminary engineering (Environmental and Permits and Plans, Specification and Estimate) has been completed.

Construction to begin December 2016 and end June 2017

Sources and Uses of Funds

Expenses	
Preliminary Engineering:	\$84,410
Construction:	\$548,551
Construction Engineering:	\$73,500
Total:	\$706,461
Revenue	
Active Transportation Plan Cycle 1:	\$261,000
Measure R:	\$425,461
City of Farmersville:	\$20,000
Total:	\$706,461

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

TULARE COUNTY TRANSPORTATION AUTHORITY

By: _____
Authority Director

Attest: _____
Authority Finance Manager

CITY OF FARMERSVILLE

By: _____
John Jansons, City Manager

Attest: _____
Deputy City Clerk