

**AGEND
A
ITEM**

7



CALEXICO *California*
WHERE CALIFORNIA AND MEXICO MEET
CITY COUNCIL

**AGENDA
 ITEM**

7

AGENDA STAFF REPORT

DATE: August 21, 2024

TO: Mayor and City Council

APPROVED BY: Juan Contreras, Acting City Manager *JAC*

REVIEWED BY: Sandra L. Fonseca, Interim Finance Director *SF*

PREPARED BY: Lilliana Falomir, Public Works Manager – Administrative *[Signature]*

SUBJECT: Adopt a Resolution of the City Council of the City of Calexico Authorizing the Acting City Manager or His Designee to Endorse the Master Agreement, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Any Amendments Entitled “Administering Agency – Federal and/or State Funded Project” for Project No. LPPSB1L-5168 (034).

Recommendation:

It is recommended that the City Council of the City of Calexico adopt the following resolution:

Resolution of the City Council of the City of Calexico Authorizing the Acting City Manager or His Designee to Endorse the Master Agreement, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Any Amendments Entitled “Administering Agency – Federal and/or State Funded Project” for Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road.

Background:

The City of Calexico Public Works Department received a grant from California Department of Transportation (Caltrans) for FY 2023-2024 in the amount of \$942,000.00 (\$471,000.00 – State Grant and \$471,000.00 – Local Match) for the Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road. The construction work shall include grinding of existing asphalt concrete pavement, installation of conventional asphalt concrete leveling course, asphalt-rubber aggregate membrane, gap graded asphalt-rubber hot mix, installation of conventional asphalt concrete surface course, slurry seal, traffic striping, utility adjustments and traffic control.

Discussion and Analysis:

To receive the above-mentioned funds, the City of Calexico needs to execute master agreements and/or any necessary documentation to claim the funds granted. Therefore, the City of Calexico Public Works Department is requesting City Council authorization to delegate authority to the Acting City Manager or his designee to execute all master agreements and/or any necessary documentation for Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road.

Fiscal Impact:

Capital Improvement Program Budgeted Item for FY 2024-2025	
Revenue	
Fund No. 412-90-967	\$471,000.00
Fund No. 233-90-967	\$471,000.00
Total	\$942,000.00
Expenditure	
Fund No. 412-90-967	\$471,000.00
Fund No. 233-90-967	\$471,000.00
Total	\$942,000.00

Coordinated With:

City Manager’s Office.
Public Works Department.
Office of the City Clerk.

Attachment(s):

1. Resolution of the City Council of the City of Calexico Authorizing the Acting City Manager or His Designee to Endorse the Master Agreement, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Any Amendments Entitled “Administering Agency – Federal and/or State Funded Project” for Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road.
2. Program Supplement No. 00000A661 to Administering Agency-State Agreement for State Project No. 11-5168S21.

ATTACHMENT NO. 1

RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO AUTHORIZING THE ACTING CITY MANAGER OR HIS DESIGNEE TO ENDORSE THE MASTER AGREEMENT, PROGRAM SUPPLEMENT AGREEMENTS, FUND EXCHANGE AGREEMENTS, FUND TRANSFER AGREEMENTS AND ANY AMENDMENTS ENTITLED “ADMINISTERING AGENCY – FEDERAL AND/OR STATE FUNDED PROJECT” FOR PROJECT NO. LPPSB1L-5168(034) – SCARONI ROAD BETWEEN COLE BOULEVARD AND JASPER ROAD

WHEREAS, the City of Calexico is eligible to receive Federal and/or State funding for Transportation Projects, through the California Department of Transportation for State Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road; and

WHEREAS, Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any Amendments need to be executed with the California Department of Transportation before such funds could be claimed; and

WHEREAS, the City of Calexico wishes to delegate authorization to execute these Agreements and any amendments thereto to the Acting City Manager or his designee be authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AND ORDER AS FOLLOWS:

1. The Acting City Manager or his designee is authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation for Project No. LPPSB1L-5168(034) – Scaroni Road between Cole Boulevard and Jasper Road.

PASSED, APPROVED AND ADOPTED this 21st of August, 2024.

Camilo Garcia, Mayor

Attest:

Veronica Alvarado, City Clerk

Resolution No. 2024-XX

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Approved as to Form:

Carlos Campos, City Attorney

State of California)
County of Imperial) ss.
City of Calexico)

I, Veronica Alvarado, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2024-__ was approved at a regular City Council meeting held on the 21st day of August, 2024, by the following vote to-wit:

AYES:

NOES:

ABSTAIN:

Veronica Alvarado, City Clerk

ATTACHMENT NO. 2

PROGRAM SUPPLEMENT NO. 00000A661
 to
 ADMINISTERING AGENCY-STATE AGREEMENT
 FOR STATE FUNDED PROJECTS NO 11-5168S21

Adv. Project ID 1123000281
 Date: July 29, 2024
 Location: 11-IMP-0-CLX
 Project Number: LPPSB1L-5168(034)
 E.A. Number:
 Locode: 5168

This Program Supplement, effective 06/28/2024, hereby adopts and incorporates into the Administering Agency-State Agreement No. 11-5168S21 for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of 04/17/2023 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 encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

PROJECT LOCATION: In the City of Calexico on Scaroni Road between Cole Boulevard and Jasper Road. The construction work shall include grinding of existing asp

TYPE OF WORK: Road Rehabilitation **LENGTH:** 0.0(MILES)

Estimated Cost	State Funds		Matching Funds	
	STATE		LOCAL	OTHER
\$942,000.00	\$471,000.00		\$471,000.00	\$0.00

CITY OF CALEXICO

STATE OF CALIFORNIA
 Department of Transportation

By _____

By _____

Title Acting City Manager _____

Chief, Office of Project Implementation
 Division of Local Assistance

Date _____

Date _____

Attest _____
 City Clerk

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

Accounting Officer Helga Siu

Date 7/29/24

\$471,000.00

SPECIAL COVENANTS OR REMARKS

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
2. 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.

3. ADMINISTERING AGENCY agrees to submit PROJECT specific award information, using Exhibit 25-O of the LAPG, to the STATE's District Local Assistance Engineer (DLAE) immediately after award of contract, and prior to first invoice submittal. Failure to do so will delay processing invoices for the construction contract. As a minimum, the award information should include the following information: project number, Advantage ID, project description, date funds allocated by the CTC, date project was advertised, bid opening date, award date, award amount, and estimated completion date.
4. ADMINISTERING AGENCY agrees to comply with the requirements in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (applicable to Federal and State Funded Projects).
5. This PROJECT is programmed to receive State Senate Bill 1, Chapter 5, Statutes of 2017 (SB1) funds from Local Partnership Program (LPP). This PROJECT will be administered in accordance with the California Transportation Commission (CTC) approved/adopted LPP Guidelines, and this Program Supplement Agreement.

ADMINISTERING AGENCY agrees to use eligible matching funds of the type

SPECIAL COVENANTS OR REMARKS

identified in its project application/nomination, for the required dollar for dollar minimum local match to the LPP funds.

ADMINISTERING AGENCY agrees to submit invoices for PROJECT costs in accordance with the Local Assistance Procedures Manual (LAPM).

To satisfy the SB1 accountability requirements, ADMINISTERING AGENCY agrees to:

- 1) Submit Progress Reports on the activities, expenditures and progress made towards implementation of the PROJECT, as applicable, per CTC SB1 Transparency and Accountability Guidelines. Changes to the scope and budget from the CTC approved project application/nomination shall also be identified in these reports. The Progress Reports shall be submitted to the Division of Local Assistance - Office of State Programs via the CalSMART reporting tool.
 - 2) Submit a Completion Report after each phase using LPP funds is complete and a Final Delivery Report to the CTC, within six months of the PROJECT construction contract being accepted, on the scope of the completed PROJECT, its final costs as compared to the project budget in its project application/nomination, its duration as compared to the project schedule in its application/nomination and performance outcomes derived from the PROJECT as compared to those described in the project application/nomination, per the SB1 Transparency and Accountability Guidelines.
6. The ADMINISTERING AGENCY shall construct the PROJECT in accordance with the scope of work presented in the application and approved by the California Transportation Commission. Any changes to the approved PROJECT scope without the prior expressed approval of the California Transportation Commission are ineligible for reimbursement and may result in the entire PROJECT becoming ineligible for reimbursement.