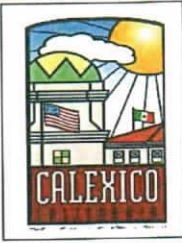


**AGENDA
ITEM**


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AGENDA STAFF REPORT

DATE: March 15, 2023

TO: Mayor and City Council

APPROVED BY: Esperanza Colio Warren, City Manager 

REVIEWED BY: Sandra L. Fonseca, City Manager 

PREPARED BY: Lilliana Falomir, Public Works Manager – Administrative 

SUBJECT: Adopt a Resolution of the City Council of the City of Calexico Authorizing the City Manager 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. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads.

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Recommendation:

Adopt a Resolution of the City Council of the City of Calexico Authorizing the City Manager 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. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads.

Background:

On February 24, 2022, the City of Calexico was notified by Imperial County Transportation Commission (ICTC) that it was eligible to receive \$138,988.00 from Coronavirus Response and Relief Supplemental Appropriations (CRRSAA) Acts Funds for FY 2022-2023. On March 8, 2022, the City informed ICTC that the funds would be used to fund personnel cost of our Public Works staff to maintain our public roads. On December 9, 2022, ICTC informed the City that the CRRSAA fund were approved by the California Transportation Commission (CTC) and the City could now submit all required documentation for funding allocation.

Discussion & Analysis:

On February 16, 2023, City staff submitted the request for funding allocation

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for CRRSAA funds in the amount of \$138,988.00. In order to receive the CRRSAA funds, the City of Calexico needs to execute the attached Program Supplement Agreement. Therefore, the City staff is recommending that the City Council delegate authority to the City Manager to execute all master agreements, program supplement agreement and/or any necessary documentation for State Project No. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads.

Fiscal Impact:

Budgeted Item for FY 2022-2023	
Revenue Fund No. 231-40-413	\$138,988.00
Total	\$138,988.00

Coordinated With:

City Manager's Office.
 Finance Department.
 Public Works Department.

Attachment(s):

1. Resolution of the City Council of the City of Calexico Authorizing the City Manager 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. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads.
2. Program Supplement No. 00000A111 to Administering Agency-State Agreement for State Funded Projects No. 11-5168S21.
3. Letter to Imperial County Transportation Commission dated March 8, 2022.

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO AUTHORIZING THE CITY MANAGER 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. CRASL 5168(033) FUND PERSONNEL COST OF PUBLIC WORKS STAFF TO MAINTAIN PUBLIC ROADS.

WHEREAS, the City of Calexico is eligible to receive Federal and/or State funding from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) for Transportation Projects, through the California Department of Transportation for State Project No. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads; 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 City Manager 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 City Manager 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 State Project No. CRASL-5168(033) Fund Personnel Cost of Public Works Staff to Maintain Public Roads.

PASSED, APPROVED AND ADOPTED this 15th day of March, 2023.

Raul Urefia, Mayor

Attest:

Gabriela Garcia, City Clerk

Approved as to Form:

Carlos Campos, City Attorney

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

I, Gabriela Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2023-__ was approved at a regular City Council meeting held on the 15th day of March 2023, by the following vote to-wit:

AYES:
NOES:
ABSTAIN:

Gabriela Garcia, City Clerk

PROGRAM SUPPLEMENT NO. 00000A111
 to
 ADMINISTERING AGENCY-STATE AGREEMENT
 FOR STATE FUNDED PROJECTS NO 11-5168S21

Adv. Project ID 1123000173
 Date: February 23, 2023
 Location: 11-IMP-0-CLX
 Project Number: CRASL-5168(033)
 E.A. Number:
 Locode: 5168

This Program Supplement, effective _____, 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 _____ 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: Fund Personnel cost of Public Works staff to maintain public roads

TYPE OF WORK: Miscellaneous - Other LENGTH: 0.0(MILES)

Estimated Cost	State Funds		Matching Funds	
	STATE		LOCAL	OTHER
\$138,988.00		\$138,988.00	\$0.00	\$0.00

CITY OF CALEXICO

STATE OF CALIFORNIA
 Department of Transportation

By _____
 Title City Manager
 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 Jannie Yee Date 2/23/2023 \$138,988.00

1. A. This PROJECT is programmed to receive STATE Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Program funds. The

SPECIAL COVENANTS OR REMARKS

ADMINISTRATING AGENCY agrees to administer the PROJECT in accordance with the California Transportation Commission (CTC) approved/adopted CRRSAA Guidelines and this PROGRAM SUPPLEMENT.

B. The STATE funds for this PROJECT may be provided under one or more phases, which are Preliminary Engineering (PE), Right-of-Way (R/W), Construction (Con), and Other Phase (Debt Service Payments, Personnel).

Phase-specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the phase identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per phase. Unless otherwise determined, the effective date of the phase-specific allocation will constitute the start of reimbursable expenditures for the phase. The STATE funds available for reimbursement will be limited to the amount allocated by the STATE for the phase.

C. At the time of the first fund allocation approval for the Project, this PROGRAM SUPPLEMENT, a STATE-approved Allocation Letter and STATE Finance Letter are prepared to allow reimbursement of eligible PROJECT expenditures for the phase allocated.

D. STATE and ADMINISTERING AGENCY agree that any additional fund allocations made after the execution of this PROGRAM SUPPLEMENT, for the phase that has been authorized in the first fund allocation approval or for a new phase, will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and a STATE Finance Letter and are subject to the terms and conditions thereof.

E. This PROJECT is subject to the delivery requirements enacted by the CRRSAA Program guidelines, which may be accessed at the Local Assistance webpage.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer immediately after 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 of invoices for the construction phase.

G. The ADMINISTERING AGENCY shall invoice STATE for PE, R/W, CON, and Other Phase costs no later than 180 days after the end of expenditure the phase. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor, prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180)

SPECIAL COVENANTS OR REMARKS

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 LAPM provisions.

I. 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).

J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to provide the STATE, upon request, with the information related to the PROJECT for the purpose of project evaluation or other purposes.

K. The ADMINISTERING AGENCY shall construct the PROJECT in accordance with the scope of work presented in the application and approved by the State. Any changes to the approved PROJECT scope without the prior expressed approval of the State are ineligible for reimbursement and may result in the entire PROJECT becoming ineligible for reimbursement.

L. 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. The State and Federal funds encumbered for this project from the CRRSAA program do not qualify for a Cooperative Work Agreement. The reversion date of the CRRSAA program funds shall not extend past the reversion date shown on the State approved project finance letter.



CITY OF CALEXICO

608 Heber Ave.
Calexico, CA 92231-2840
Tel: 760.768.2110
Fax: 760.768.2103
www.calexico.ca.gov

March 8, 2022

David Aguirre, Interim Executive Director
Imperial County Transportation Commission
1503 N. Imperial Ave., Suite #104
El Centro CA 92243

RE: Coronavirus Response and Relief Supplemental Appropriations (CRRSAA) Acts Funds

Dear Mr. Aguirre:

As agreed, the City of Calexico portion of the CRRSAA Act Funds is \$138,988.00.

The City will use the \$138,988.00 to fund personnel cost of our Public Works staff to maintain our public roads. We anticipate expending these funds in FY 22/23.

If you have any questions or require additional information, please do not hesitate to contact Ms. Lilliana Falomir, Public Works Manager – Administrative at 760/768-2160 or myself at 760/768-2110.

Sincerely,

Miguel Figueroa
City Manager

Cc: Sandy Fonseca, Finance Manager
Lilliana Falomir, Public Works Manager – Administrative
Livier Lau, Project Coordinator

Viva Calexico!