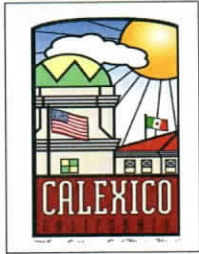


**AGENDA  
ITEM**

**9**



# AGENDA STAFF REPORT

**DATE:** March 15, 2023

**TO:** Mayor and City Council

**APPROVED BY:** Esperanza Colio Warren, City Manager *Esperanza Colio Warren*

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

**SUBJECT:** Ratification of Amendment No. 1 - Memorandum of Understanding Between the Southern California Association of Governments and the City of Calexico Regarding Rockwood Roll-Out Project.



**Recommendation:**

Ratification of Amendment No. 1 – Memorandum of Understanding between the Southern California Association of Governments and the City of Calexico Regarding Rockwood Roll-Out Project.

**Background:**

Back in 2018, the Southern California Association of Governments (SCAG) issued a call for grant application under their Sustainable Communities Program – Quick Build Demonstration Project. One (1) of the grant requirements is that SCAG would be the lead applicant and the City of Calexico would be the co-applicant. In addition, the City would need to procure a construction contractor to perform the work. The City went ahead and submitted a grant application for Rockwood Avenue (Downtown) Promenade between 1<sup>st</sup> Street and 2<sup>nd</sup> Street. The project will consist of implementation of a Quick Build to test out temporary improvements along Rockwood Avenue between 1<sup>st</sup> Street and 2<sup>nd</sup> Street to make it safer and more enjoyable to walk. Improvements will include improved crosswalks and a promenade to increase space for pedestrians on the corridor.

In 2021, SCAG awarded an architectural and engineering consultant agreement to KOA Corporation for our Rockwood Roll-Out Project. Since Dec. 2021 to present the following items have been completed:

- Formation of Community and Technical Advisory Committee
- Data collection and existing condition analysis
- Three (3) out of seven (7) community touch points
- Monthly meeting with KOA, City, Bloomberg and Calexico Arts Council, Inc.



- 100% of the plans for Rockwood Roll-Out Project
- 90% of furnishings have been installed (tables, chairs, plants and lighting)

**Discussion & Analysis:**

On October 19, 2023, the City Council of the City of Calexico authorized the City Manager to sign Memorandum of Understanding between the Southern California Association and the City of Calexico regarding Rockwood Roll-Out Project with an expiration date of February 20, 2023. Since the implementation of Rockwood Roll-Out Project has been taking longer than expected, SCAG has authorized the extension of the performance period to be January 31, 2024. Therefore, City staff is recommending that they City Council ratify Amendment No. 1 – Memorandum of Understanding between the Southern California Association of Governments and the City of Calexico Regarding Rockwood Roll-Out Project.

**Fiscal Impact:**

No fiscal impact at this time.

**Coordinated With:**

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

**Attachment(s):**

1. Amendment No. 1 – Memorandum of Understanding between the Southern California Association of Governments and the City of Calexico Regarding Rockwood Roll-Out.

MOU No. : M-026-21  
OWP No. : 225-3564X4.14

**COVER PAGE  
AMENDMENT NO. 01  
MEMORANDUM OF UNDERSTANDING  
NO. M-026-21**

**SCAG Overall Work Program (OWP) No: 225-3564X4.14**

**Federal/State Awarding Agency: N/A (Caltrans Local Assistance ATP State Funded Project)**

**CFDA Number and Name: N/A**

**Federal Award Identification Number (FAIN) No: N/A**

**Federal Award Date: N/A**

**Total Amount of the Federal Award: N/A**

**Federal Award Project Description: N/A**

**Pass-Through Awarding Agency: California Department of Transportation (Caltrans)**

**Pass-Through Award No: ATPLNI-6049(022)**

**Pass-Through Award Date: October 9, 2019**

**Pass-Through Award End Date: February 29, 2024**

**Pass-Through Agency Contact: Steve Novotny, Office Chief, Office of Local Assistance & Alameda Corridors**

**Sub-Recipient Name: City of Calexico**

**Sub-Recipient's Unique Entity Identifier No: QGR7KQG4JKR6**

**Total Amount of Federal Funds Obligated to the Sub-Recipient: \$0.00**

**Total Amount of Match Funds Committed by the Sub-Recipient: \$25,000.00**

**Total Amount of Non-Federal Funds Obligated to the Sub-Recipient: \$40,555.00 (ATP)**

**Subaward Period of Performance Start Date: Effective date of the MOU**

**Subaward Period of Performance End Date: 1/31/2024**

**Type of Contract: Project Specific**

**Method of Payment: See Section 6**

**Project R&D: N/A**

**Indirect Cost Rate for the Federal Award: N/A**

**Subaward Project Title: Calexico's Rockwood Roll-Out**

**Subaward Project Description:**

Calexico's Rockwood Roll-Out will implement a Quick Build to test out temporary improvements along Rockwood Avenue, between 1st Street and 2nd Street, to make it safer and more enjoyable to walk. Improvements will include improved crosswalks and a promenade to increase space for pedestrians on the corridor.

January 12, 2023

Page 1 of 4

**AMENDMENT NO. 01  
MEMORANDUM OF UNDERSTANDING  
NO. M-026-21**

**BETWEEN THE  
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS  
AND THE CITY OF CALEXICO  
REGARDING ROCKWOOD ROLL-OUT**

This Amendment No. 01 (“Amendment”) to the Memorandum of Understanding No. M-026-21 (“MOU” or “Agreement”) is made by and between the **Southern California Association of Governments** (“SCAG”) and the **City of Calexico** (“CITY”), for the purpose of partnering on the Rockwood Roll-Out, subsequently herein referred to as “Project”, to be implemented in the CITY, and as more fully described herein. SCAG and the CITY are individually referred to herein as “Party” and may be collectively referred to herein as “Parties.”

**RECITALS**

WHEREAS, SCAG and the CITY are parties to that certain Agreement dated December 2, 2022;

WHEREAS, Section 9 of the Agreement permits the parties to amend the Agreement through written amendment; and

WHEREAS, the purpose of this Amendment No. 01 is to extend the Completion Date of the Agreement from February 20, 2023 to January 31, 2024.

**NOW THEREFORE, IT IS MUTUALLY AGREED THAT:**

**1. The Recitals, 13<sup>th</sup> paragraph, is amended to read:**

WHEREAS, reimbursable activities for the Project by the CITY shall begin on the effective date of this MOU and shall be completed by January 31, 2024.

**2. Section 3 (Term) is amended to read:**

The Term of this Agreement shall begin on the Effective Date of the Agreement and continue until January 31, 2024, hereinafter referred to as the “Completion Date,” unless terminated earlier as provided herein. Time is of the essence in the performance of services under this MOU.

**3. Section 6j (Invoices, Progress Reports and Match Reports) is amended to read:**

The Parties acknowledge that SCAG’s fiscal year is from July 1 to June 30. The CITY agrees to review, approve, and pay any Contractor invoices in a timely manner and submit all invoices to SCAG for Work rendered through June 30th, no later than July 21<sup>st</sup> during the contract’s term (e.g., 7/21/22, 7/21/23), and for Work rendered between July 1, 2023, and January 31, 2024, no later than February 29, 2024. SCAG shall not be obligated to pay the CITY for any invoice received after such date.

MOU No. : M-026-21  
OWP No. : 225-3564X4.14

In all other respects, the terms and conditions of the MOU shall remain in full force and effect.

**[Signatures on Following Page]**

**SIGNATURE PAGE TO  
AMENDMENT NO. 01  
MEMORANDUM OF UNDERSTANDING M-026-21**

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their duly authorized representatives as of the dates indicated below:

**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ("SCAG")**

DocuSigned by:  
*Erika Bustamante*  
By: 02827D5C68E448D... 2/16/2023  
Erika Bustamante for Cindy Giraldo, Chief Financial Officer Date

**APPROVED AS TO FORM:**

DocuSigned by:  
*Jeffery Elder*  
By: DCD6E4A01C5E4E0... 2/16/2023  
Jeffery Elder, Senior Deputy Legal Counsel Date

**CITY OF CALEXICO ("CITY")**

By: *Esperanza Colio Warren* 02-15-2023  
Esperanza Colio Warren, City Manager Date

**APPROVED AS TO FORM:**

By: *[Signature]* 2/15/23  
Carlos Campos, City Attorney Date