



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Jim Arndt, Director of Public Works
Steve Finton, City Engineer
Edward T. Kao, Senior Civil Engineer

DATE: February 15, 2010

SUBJECT: Consideration of a Resolution to Authorize Execution of a Program Supplement Adding the Sepulveda Boulevard Bridge Widening Project to the Existing Master Funding Agreement with State of California Department of Transportation (\$500,000 Federal Funds)

RECOMMENDATION:

Staff recommends that the City Council pass a motion to:

- a) Approve a Program Supplement with State of California Department of Transportation for the Sepulveda Boulevard Bridge Widening Project.
- b) Adopt Resolution No. 6298 authorizing the City Manager to sign the agreement and program supplement on behalf of the City.
- c) Appropriate Federal Transportation Funds in the amount of \$579,000 to the Sepulveda Boulevard Bridge Widening Project (Acct. #11830E).

FISCAL IMPLICATION:

The Program Supplement must be executed for the City to receive federal-aid transportation funding through the State of California Department of Transportation (Caltrans). The City has secured Federal High Priority Project Funds for the Sepulveda Boulevard Bridge Widening Project through the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" (Safetea-Lu) in the total amount of \$1,079,200. These funds would be provided on a reimbursement basis and a 20% match (\$269,800) is required. Matching funds have been appropriated to this project by City Council through the fiscal year 2010-2011 Capital Improvement Program.

BACKGROUND:

The Sepulveda Boulevard Bridge Widening Project has been in consideration since the late 1980s. Recent grants and other funding commitments are bringing this \$17.3 Million project to

fruition. The project would widen the Sepulveda Boulevard Bridge between Rosecrans Avenue and 33rd Street to provide a fourth northbound lane through the area.

The “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (Safetea-Lu) was signed into law in 2005. Safetea-Lu provides funding for surface transportation including funds for 5173 High Priority Projects (earmarks) nationwide. Congresswoman Jane Harman sponsored High Priority Project 1286 “South Bay Cities COG Coastal Corridor Transportation Initiative, Phase 3” and has directed the entire earmark to the Sepulveda Boulevard Bride Widening Project. There is a total of \$1,439,840 available through the earmark.

Previously, Caltrans authorized the City to expend \$500,000 of the earmark on project design. This amount was insufficient to complete the design; therefore, staff postponed design efforts pending additional funding authorizations. With Congresswoman Harman’s assistance, additional funding in the amount of \$939,840 was secured for the project with an additional \$579,000 being allocated to project design.

DISCUSSION:

The recommended Program Supplement addresses the original \$500,000 Caltrans authorization. This Program Supplement was received from Caltrans in March 2010. Staff did not submit the Program Supplement for City Council approval at that time because the amount of federal funding was insufficient and City match percentage was excessive. Staff succeeded in securing revised authorizations from Caltrans which increases the grant amount to \$1,079,000 and reduces the City match to the minimum 20% (\$269,800). The total design cost of \$1,349,000 remains the same. Staff has been working with Caltrans to modify the Program Supplement document to reflect these changes. Caltrans informed the City on February 3, 2011 that the City is required to execute the original Program Supplement before March 1, 2011 or risk losing the original \$500,000 allocation. The dollar amounts indicated in the Program Supplement have been administratively changed already by Caltrans to reflect the \$1,079,000 grant amount and 20% match as evidenced by the Amendment Modification Summary-(E-76) (Attachment 2). It is recommended that City Council authorize execution of the Program Supplement to add the project to the Master Agreement and prevent the loss of grant funds.

Funding

The following is the status of funding on the project:

	Grant Amount	Status of Grant
Safetea-Lu High Priority Project earmark	\$1,439,840	Program Supplement Recommended through this Council Action
Metro Call for Projects Grant	\$6,813,325	Grant Secured – Agreement Pending
Measure R	\$9,100,000	Allocation being considered by Metro Board – Agreement Pending
Total	\$17,353,165	

Schedule

Design Consultant Selection is currently underway. Design should begin in late Summer 2011. Construction is tentatively scheduled to begin in Summer 2013.

It is staff's recommendation that the City Council pass a motion to approve the Program Supplement with Caltrans, and approve Resolution No. 6298 authorizing the City Manager to sign the Program Supplement on behalf of the City.

Attachments:

1. Program Supplement
2. Amendment Modification Summary – (E-76) [Caltrans Funding Authorization]
3. Resolution No. 6298.
4. Map.

PROGRAM SUPPLEMENT NO. N003
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 07-5212R

Date: March 16, 2010
Location: 07-LA-1-MANB
Project Number: 11PLUL-5212(005)
E.A. Number: 07-220508

This Program Supplement hereby incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 09/28/09 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article 1 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 State of any funds derived from sources noted below obligated to this project, the Administering Agency accepts and will comply with the Special covenants or Remarks setforth on the following pages.

PROJECT LOCATION:
SR1 (Sepulveda Blvd) bet 33rd St & Rosecrans Av

TYPE OF WORK: Add one through lane & widen bridge from 6 to 7 lanes **LENGTH:** 0 (MILES)

Estimated Cost	Federal Funds		Matching Funds		
\$1,349,000.00	HY10	\$273,751.00	LOCAL \$425,000.00	Other Fund \$424,000.00	OTHER \$0.00
	LY10	\$226,249.00			

CITY OF MANHATTAN BEACH

STATE OF CALIFORNIA
Department of Transportation

By _____
Date _____
Attest _____
Title _____

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

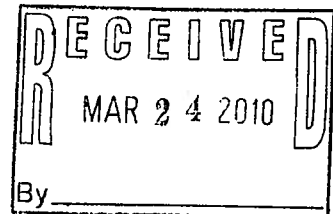
I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer *[Signature]* Date 3-16-10 \$500,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
1	2009	2660-102-890	2009-2010	20.30.010.680	C	262042	892-F	500,000.00

APPROVED AS TO FORM.

By *[Signature]*
City Attorney



SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
3. 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, and invoice payments for any on-going or future federal-aid 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.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is

SPECIAL COVENANTS OR REMARKS

incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

5. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).
6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award or with submittal of the ADMINISTERING AGENCY's first invoice for the construction contract, whichever is earlier.

Failure to do so will cause a delay in the State processing invoices for the construction phase.

Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

7. 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 unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to

SPECIAL COVENANTS OR REMARKS

the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

CALIFORNIA DEPARTMENT OF TRANSPORTATION

AMENDMENT MODIFICATION SUMMARY - (E-76)

FEDERAL AID PROGRAM
 DLA LOCATOR: 07-LA-1-MANB
 PREFIX: HPLJUL
 PROJECT NO: S212(005)
 SEQ NO: 2
 STATE PROJ NO: 07220508L
 AGENCY: MANHATTAN BEACH
 ROUTE:
 TIP DATA

PROJECT LOCATION:
 STATE ROUTE 1 FROM 33RD ST. TO ROSECRANS AV.
 TYPE OF WORK:
 BRIDGE WIDENING FROM 6 TO 7 LANES
 FED RR NO'S:
 PUC CODES:
 PROJ OVERSIGHT: EXEMPT FROM FHWA REVIEW
 ENV STATUS / DT:
 RW STATUS / DT:
 INV RTE: 0
 BIG MP: 0
 END MP: 0

MPO: SCAG
 FSTIP YR: 10/11
 STIP REF:
 DISASTER NO:
 BRIDGE NO'S:

PREV AUTH / AGREE DATES:
 PE: 12/22/2009

RW:
 CON:
 SPR:
 MCS:
 OTH:

URB/RURAL
 URBAN
 URBAN
 DEMO ID
 CA441
 CA441

LINE NO
 10
 10
 IMPV TYPE
 15
 15
 FUNC SYS
 F
 F
 URBAN AREA
 LOS ANGELES
 LOS ANGELES

FUNDING SUMMARY

PHASE	PREV OBLIGATION	THIS REQUEST	SUBTOTAL	PROJECT COST	FEDERAL COST	AC COST
PE	\$500,000.00	\$0.00	\$500,000.00	\$500,000.00	\$0.00	\$0.00
				\$579,200.00	\$0.00	\$0.00
				\$1,079,200.00	\$0.00	\$0.00
RW	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
CON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
TOTAL:	\$1,349,000.00	\$0.00	\$1,349,000.00	\$1,349,000.00	\$1,079,200.00	\$0.00

STATE REMARKS

HISTORICAL COMMENTS

11/10/09 Seq 1 HPLJUL-5212(005);PPNO: 2947;City of Manhattan Beach. DEMO ID 441
 State Route 1 (Sepulveda Bl.) bet. 33rd St & Resecrans Av.
 Bridge widening to add one lane form 6 to 7 lanes

SAFETEA-LU LEGISLATED DESCRIPTION:

South Bay COG corridor transportation initiative, Phase 3, El Segundo.
 Eventhough it shows El Segundo as the sponsoring agency, as per letter dated
 Dec 8, 2008 from South Bay Cities COG signed by Jacki Bacharach, Exc. Director
 this DEMO funds are to be used by the City of Manhattan Beach for design of
 the bridge widening in the amount of \$500,000 and by the City of Hawthorne for
 the reminding of the earmark amount.

TOTAL	FED PART	FED FUNDS1	FED FUNDS2	OTHER FUNDS	OTHER FUNDS
COST	COST	HY10	LY10	Nat Hwy Sys	LOCAL
\$1,349,000	\$1,349,000	\$273,751	\$226,249	\$424,000	\$425,000
TOTAL	\$1,349,000	\$273,751	\$226,249	\$424,000	\$425,000

GP. 11/10/09

12/16/09 Authorized \$500,000 of DEMO for APE. \$273,751 of HY10 and \$226,249 of LY10. NAA.

08/10/2010 Seq. #2 8/10/10 Cost Adjustment to add LY10 funds and make the project fully funded
36th District, Congresswoman Jane Harman, authorized the City of Manhattan Beach to use all funds of DEMO ID CA441 for the Sepulveda Bridge widening. See letter dated May 28, 2010
DEMO ID CA441 Total funds = \$1,439,840
DEMO ID CA441 Used funds = \$1,079,200
DEMO ID CA441 Remaining funds = \$360,640 to be used for R/W or CON in the near future GP.

12/03/2010 Authorized Cost Adjustment and obligation of an additional \$579,200 of LY10 federal funds for the Preliminary Engineering (PE) phase of the project. Agency shall not start final PS&E until NEPA is approved.
RV/NAA

FEDERAL REMARKS

AUTHORIZATION

AUTHORIZATION TO PROCEED WITH REQUEST: PRE
FOR: COST ADJUSTMENT
DOCUMENT TYPE: AMOD

PREPARED BY: POTES, GUILLERMO ON 11/30/2010 897-2914
REVIEWED BY: VALLUVAN, RAJALINGAM ON 12/03/2010 653-6230
SUBMITTED BY: ABDIN, NAHED ON 12/07/2010 FOR CALTRANS
PROCESSED BY: FOGLE, JERILYNN ON 12/07/2010 FOR FHWA
APPROVED BY: RODNEY WHITFIELD ON 12/22/2010

SIGNATURE HISTORY FOR PROJECT NUMBER 5212(005) AS OF 01/03/2011
FHWA FMIS 4.0 SIGNATURE HISTORY

MOD #	SIGNED BY	SIGNED ON
1	JERILYNN FOGLE	12/09/2010
	GARY J. SWEETEN	12/21/2010
	RODNEY WHITFIELD	12/22/2010
0	DUSTIN BAILEY	12/22/2009
	SCOTT K. MCHENRY	12/22/2009
	VENESHIA SMITH	12/22/2009

FHWA FMIS 3.0 SIGNATURE HISTORY

CALTRANS SIGNATURE HISTORY

DOCUMENT TYPE	SIGNED BY	SIGNED ON
AMEND/MOD	ABDIN, NAHED	12/07/2010

RESOLUTION NO. 6298

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, TO EXECUTE A PROGRAM SUPPLEMENT WITH CALTRANS ADDING THE SEPULVEDA BOULEVARD BRIDGE WIDENING PROJECT TO THE EXISTING MASTER FUNDING AGREEMENT WITH CALTRANS (\$500,000 FEDERAL FUNDS)

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Sepulveda Boulevard falls under the jurisdiction of Caltrans; and

WHEREAS, CALTRANS and CITY, collectively referred to as PARTIES, are authorized to enter in an agreement to establish terms and conditions applicable to the City when receiving federal funds for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility; and

WHEREAS, WORK completed under this agreement would add one northbound through lane on Sepulveda Boulevard by widening the existing bridge on the east side and creating a fourth through lane from 33rd Street to a point north of the bridge, referred to as PROJECT; and

WHEREAS, there is an existing PROJECT-related cooperative agreement; and

WHEREAS, the estimated date for COMPLETION OF WORK is October 1, 2014 and

WHEREAS, PARTIES now define in this agreement the terms and conditions under which they will administer WORK; and

WHEREAS, the PROJECT is financed in part with federal funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" (Safetea-Lu).

NOW THEREFORE BE IT BE RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA IS TO EXECUTE A PROGRAM SUPPLEMENT WITH CALTRANS ADDING THE SEPULVEDA BOULEVARD BRIDGE WIDENING PROJECT TO THE EXISTING MASTER FUNDING AGREEMENT WITH CALTRANS (\$500,000 FEDERAL FUNDS). THE CITY COUNCIL ALSO AUTHORIZES THE CITY MANAGER TO EXECUTE THE PROGRAM SUPPLEMENT ON BEHALF OF THE CITY OF MANHATTAN BEACH, CALIFORNIA.

SECTION 1. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED, and ADOPTED this 15th day of February, 2011.

Ayes:
Noes:
Absent:
Abstain:

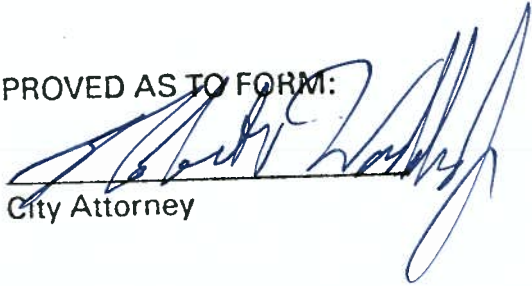
Mayor, City of Manhattan Beach, California

ATTEST:

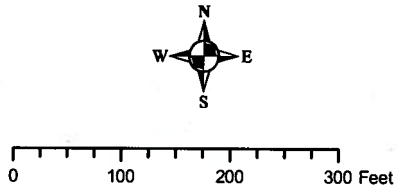
City Clerk

APPROVED AS TO FORM:

By _____
City Attorney

A large, stylized handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to be the name of the City Attorney.

**Proposed Sepulveda Blvd
Bridge Widening Project**



A north arrow is centered below the title, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the north arrow is a horizontal scale bar with markings at 0, 100, 200, and 300 feet.

