



MEMORANDUM

TO: CITY COUNCIL

FROM: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR

BY: ROBIN DICKERSON, CITY ENGINEER

SUBJECT: CONSIDERATION OF A RESOLUTION AUTHORIZING ADOPTION OF CALTRANS' LOCAL ASSISTANCE PROCEDURES MANUAL CHAPTER 10

DATE: MARCH 12, 2019

SUMMARY OF ACTION:

Adoption of Caltrans' Local Assistance Procedures Manual Chapter 10 will allow the City to maintain eligibility for federal and state reimbursement for federal and state funded projects.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

There is no financial or personnel impact until federal and state funded projects are identified at a later date.

RECOMMENDATION:

It is recommended the City Council adopt a Resolution authorizing the adoption of Caltrans' Local Assistance Procedures Manual Chapter 10 which describes the consultant selection and procurement process Local Agencies must follow to maintain eligibility for federal and state reimbursement.

BACKGROUND:

As of January 1, 2019, Caltrans is requiring all Agencies utilizing federal and state reimbursement funds have a written procedure adopted by resolution and approved by Caltrans. Although the Master Service Agreement references many of the similar procedures, Caltrans is requiring each agency to provide a written procedure approved by Caltrans and adopted by the Agency's governing body, which describes the consultant selection and procurement procedures for design and construction management contracts over \$150,000.

ANALYSIS OF ISSUES:

The City has several projects in various stages that rely on federal and/or state reimbursement. Some of these projects include, but are not limited to, Bridge Street Bridge, Traffic Way Bridge, and the Brisco Interchange projects. The adoption of this resolution will allow these projects to complete the Caltrans review process prior to award

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of design and construction management contracts over \$150,000. These procedures are the same procedures that City staff currently follows during procurement of consultant services. If the City does not adopt these written procedures, we will need to develop our own written procedures incorporating LAPM Chapter 10 and then Caltrans would need to approve them before we could issue any more consultant service contracts over \$150,000.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Approve staff's recommendation;
2. Do not approve staff's recommendation;
3. Modify as appropriate and approve staff's recommendation; or
4. Provide direction to staff.

ADVANTAGES:

The adoption of this resolution would allow the City to continue utilizing federal and state reimbursement funds for many of the capital improvement projects.

DISADVANTAGES:

No advantages have been identified as it relates to adoption of the Resolution.

ENVIRONMENTAL REVIEW:

Environmental review is not required for adoption of this resolution. Each project will evaluate environmental impacts on a project-by-project basis.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. At the time of report publication, no comments have been received.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE AUTHORIZING THE ADOPTION OF
CALTRANS' LOCAL ASSISTANCE PROCEDURES
MANUAL CHAPTER 10**

WHEREAS, the City Council of the City of Arroyo Grande, through the Departments of Public Works and Community Development, is responsible for the execution of State and Federal funded project(s); and

WHEREAS, Section 172.5 (b) of Title 23 of the Code of Federal Regulations (CFR) states subrecipients shall develop and sustain organizational capacity and provide the resources necessary for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with Federal-Aid Highway Program funding as specified in 23 U.S.C. 302(a); and

WHEREAS, 23 CFR 172.5(b)(1) requires subrecipients to adopt written policies and procedures prescribed by the awarding State Transportation Agency for the procurement, management, and administration of engineering and design related consultant services in accordance with applicable Federal and State laws and regulations; and

WHEREAS, the State of California Department of Transportation (Caltrans) has developed the Local Assistance Procedures Manual (LAPM), Chapter 10, Consultant Selection which sets forth policies and procedures for procurements and managements of contracts for engineering and design related consultant services contracts on federal and state funded transportation projects to ensure compliance with applicable Federal and State laws and regulations; and

WHEREAS, LAPM Chapter 10, Consultant Selection, describes the consultant selection and procurement process local agencies must follow to maintain eligibility for federal and state reimbursement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande hereby adopts Caltrans LAPM Ch.10, Consultant Selection, and any updates thereto, in the procurement of architectural and engineering services for state and federal funded projects.

On motion by Council Member _____, seconded by Council Member _____ and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was adopted this 12th day of March, 2019.

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CAREN RAY RUSSOM, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

HEATHER K. WHITHAM, CITY ATTORNEY