

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: January 13, 2020	PREPARED BY: Kathleen Neuman, Associate Engineer
Meeting Date Requested: January 21, 2020	PRESENTED BY: Craig Erdman, PE, County Engineer <i>CE</i>
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda	<input type="checkbox"/> Brought Before the Board Time needed:
SUBJECT: Resolution and approval of a Local Agency Agreement - Supplement No. 4 with Washington State Department of Transportation (WSDOT) for CRP (County Road Project) 605 – Pasco-Kahlotus Reconstruction/Overlay II.	
FISCAL IMPACT: None – the attached Supplement No. 4 reallocates Right-of-Way funds within its own work.	
BACKGROUND: Pasco-Kahlotus Reconstruction/Overlay II project is currently completing right-of-way. The attached supplement to the Local Agency Agreement reallocates existing right-of-way funding by moving funds from agency work to consultant & property compensation work.	
RECOMMENDATION: Approve attached Resolution and Local Agency Agreement Supplement No. 4	
COORDINATION: This consent agenda item was discussed with Matt Mahoney, Public Works Director, Keith Johnson, County Administrator, and WSDOT Local Programs.	
ATTACHMENTS: (Documents you are submitting to the Board) 1. Resolution 2. Local Agency Agreement Supplement No. 4 - 2 originals	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) 1. Copy of resolution and two (2) original Local Agency Agreements Supplements to the Public Works Dept. (Kathleen Neuman)	

I certify the above information is accurate and complete.



Matt Mahoney, Public Works Director

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS
OF FRANKLIN COUNTY, WASHINGTON

***CRP 605 – PASCO-KAHLOTUS RECONSTRUCTION/OVERLAY II APPROVE LOCAL
AGENCY AGREEMENT SUPPLEMENT NO. 4 BETWEEN FRANKLIN COUNTY
AND WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND
AUTHORIZATION FOR CHAIRMAN TO SIGN***

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120 the legislative authority of each county is authorized to enter into contracts on behalf of the county and have the care of county property and management of county funds and business; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached agreement as being in the best interest of Franklin County.

NOW, THEREFORE, BE IT RESOLVED that the attached Local Agency Agreement Supplement No. 4 for CRP 605 – Pasco-Kahlotus Reconstruction/Overlay II project between Franklin County and Washington State Department of Transportation is hereby approved by the Board, and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Franklin County Commissioners be, and hereby is, authorized to sign a supplement to the Local Agency Agreement between Washington State Department of Transportation and Franklin County on behalf of Franklin County.

APPROVED this _____ day of _____, 2020

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk of the Board



Agency Franklin County Public Works		Supplement Number 4
Federal Aid Project Number STPR-F115(003)	Agreement Number LA-7993	CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

The Local Agency requests to supplement the agreement entered into and executed on All provisions in the basic agreement remain in effect except as modified by this supplement. The Local Agency certifies that it is not excluded from receiving Federal funds by a Federal suspension or debarment (2 CFR Part 180). Additional changes to the agreement are as follows:

Project Description

Name Pasco-Kahlotus Road Reconstruction/Overlay II Length 3.01 miles

Termini Milepost 5.92 to Milepost 8.93

Description of Work No Change

Reason for Supplement

Reallocating Right of Way funds within Right of Way work.

Are you claiming indirect cost rate? Yes No Project Agreement End Date 12/31/2020

Does this change require additional Right of Way or Easements? Yes No Advertisement Date:

Type of Work		Estimate of Funding				
		(1) Previous Agreement/Suppl.	(2) Supplement	(3) Estimated Total Project Funds	(4) Estimated Agency Funds	(5) Estimated Federal Funds
PE 86.5 %	a. Agency	187,765.00	0.00	187,765.00	25,348.00	162,417.00
	b. Other	15,000.00	0.00	15,000.00	2,025.00	12,975.00
Federal Aid Participation Ratio for PE	c. Other			0.00		
	d. State	1,500.00	0.00	1,500.00	203.00	1,297.00
	e. Total PE Cost Estimate (a+b+c+d)	204,265.00	0.00	204,265.00	27,576.00	176,689.00
Right of Way 86.5 %	f. Agency	58,810.00	-22,867.00	35,943.00	4,852.00	31,091.00
	g. Other Consultant	106,833.00	4,167.00	111,000.00	14,985.00	96,015.00
Federal Aid Participation Ratio for RW	h. Other Property Compensation	71,800.00	18,700.00	90,500.00	12,217.00	78,283.00
	i. State	2,500.00	0.00	2,500.00	338.00	2,162.00
	j. Total R/W Cost Estimate (f+g+h+i)	239,943.00	0.00	239,943.00	32,392.00	207,551.00
Construction %	k. Contract			0.00		
	l. Other			0.00		
	m. Other			0.00		
Federal Aid Participation Ratio for CN	n. Other			0.00		
	o. Agency			0.00		
	p. State			0.00		
	q. Total CN Cost Estimate (k+l+m+n+o+p)	0.00	0.00	0.00	0.00	0.00
r. Total Project Cost Estimate (e+j+q)		444,208.00	0.00	444,208.00	59,968.00	384,240.00

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions.

Agency Official

Washington State Department of Transportation

By
Title

By
Director, Local Program
Date Executed

Agency Franklin County Public Works		Supplement Number 4
Federal Aid Project Number STPR-F115(003)	Agreement Number LA-7993	CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin. Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

XVII. Assurances

Local Agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).