

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works / Transportation Division / Programming

DATE: September 6, 2016

REQUESTED ACTION: Approval of the Local Agency Agreement for the Highway 99
Pedestrian/Bicycle Improvements Project, CRP #351322.

Consent Hearing County Manager

PUBLIC WORKS GOALS:

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

BACKGROUND

Clark County has been notified by the Washington State Department of Transportation that this project has been awarded grant funding from the State Pedestrian and Bicycle Safety Program. The attached Local Agency Agreements will start the process of receiving the funds for right-of-way and construction phases of the project.

The Highway 99 Pedestrian/Bicycle Improvements Project will replace deteriorated sidewalk along the west side of Highway 99 between NE 63rd Street and NE 78th Street, creating a smooth, attractive and ADA-compliant walkway. A mid-block crossing with pedestrian refuge island and High-intensity Activated CrossWalk (HAWK) beacon will be added near NE 78th Street. ADA ramps and bicycle lane striping will be upgraded. A street-side bicycle repair station will also be installed.

COUNCIL POLICY IMPLICATIONS

None.

ADMINISTRATIVE POLICY IMPLICATIONS

None. This project is included in the 2016-2021 Transportation Improvement Program (TIP); and 2016 Annual Construction Program (#20). This project also supports the Highway 99 Subarea Plan.

COMMUNITY OUTREACH

Development of the Transportation Improvement Plan included community outreach including work sessions, public hearings and publication on the county internet web site.

PW16-141

mgr
OK

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

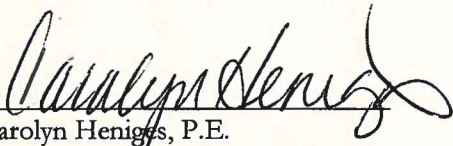
BUDGET DETAILS

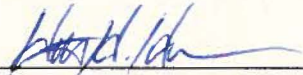
Local Fund Dollar Amount	\$ 252,000
Grant Fund Dollar Amount	\$1,525,000
Account	1012 County Road Fund
Company Name	N/A

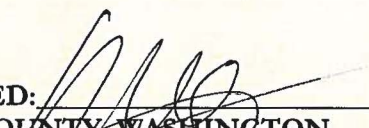
DISTRIBUTION:

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

Please also return a copy of the approved staff report indicating the Board's action, to Department of Public Works Transportation Programming, attention Michael Derleth.


 Carolyn Heniggs, P.E.
 Transportation Division Manager


 Heath H. Henderson, P.E.
 Public Works Director/County Engineer

APPROVED: 
 CLARK COUNTY, WASHINGTON
 BOARD OF COUNTY COUNCILORS

DATE: Sept 6, 2016
 SR# SR 186-16



APPROVED: _____
 Mark McCauley, County Manager

DATE: _____

Attachments: LAA Supplement (2)
 Vicinity Map

SWV



Agency Clark County		Supplement Number 2
Federal Aid Project Number TAP-STPUL-4253(014)	Agreement Number LA-8767	CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

The Local Agency requests to supplement the agreement entered into and executed on Sept. 17, 2015
All provisions in the basic agreement remain in effect except as modified by this supplement.

The change to the agreement are as follows:

Project Description

Name Highway 99 Pedestrian/Bicycle Improvements

Length 0.75

Termini NE 63rd Street - NE 78th Street

Description of Work No Change

Reason for Supplement

Obligating Right-of-Way Phase with State Ped/Bike funds.

Are you claiming indirect cost rate? Yes No

Project Agreement End Date 12/2019

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	57,803.00		57,803.00	7,803.00	50,000.00
b. Other Federal STP	115,610.00		115,610.00	15,610.00	100,000.00
Federal Aid Participation Ratio for PE c. Other Eligible Non-Fed & TIB	176,587.00		176,587.00	176,587.00	
d. State	5,000.00		5,000.00	5,000.00	
e. Total PE Cost Estimate (a+b+c+d)	355,000.00	0.00	355,000.00	205,000.00	150,000.00
Right of Way					
100 % f. Agency			0.00		
g. Other State Funding (Ped/Bike)		150,000.00	150,000.00	0.00	150,000.00
Federal Aid Participation Ratio for RW h. Other Eligible Non-State/Fed		433,000.00	433,000.00	433,000.00	0.00
i. State			0.00		
j. Total R/W Cost Estimate (f+g+h+i)	0.00	583,000.00	583,000.00	433,000.00	150,000.00
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 Construction Estimate (k+l+m+n+o+p)	0.00	0.00	0.00	0.00	0.00
r. Total Project Cost Estimate (e+j+k+l+m+n+o+p+q)	355,000.00	583,000.00	938,000.00	638,000.00	300,000.00

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

Agency Official

Washington State Department of Transportation

By 
Title Chair, Board of County Commissioners

By
Director, Local Program
Date Executed

Agency Clark County		Supplement Number 2
Federal Aid Project Number TAP-STPUL-4253(014)	Agreement Number LA-8767	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).

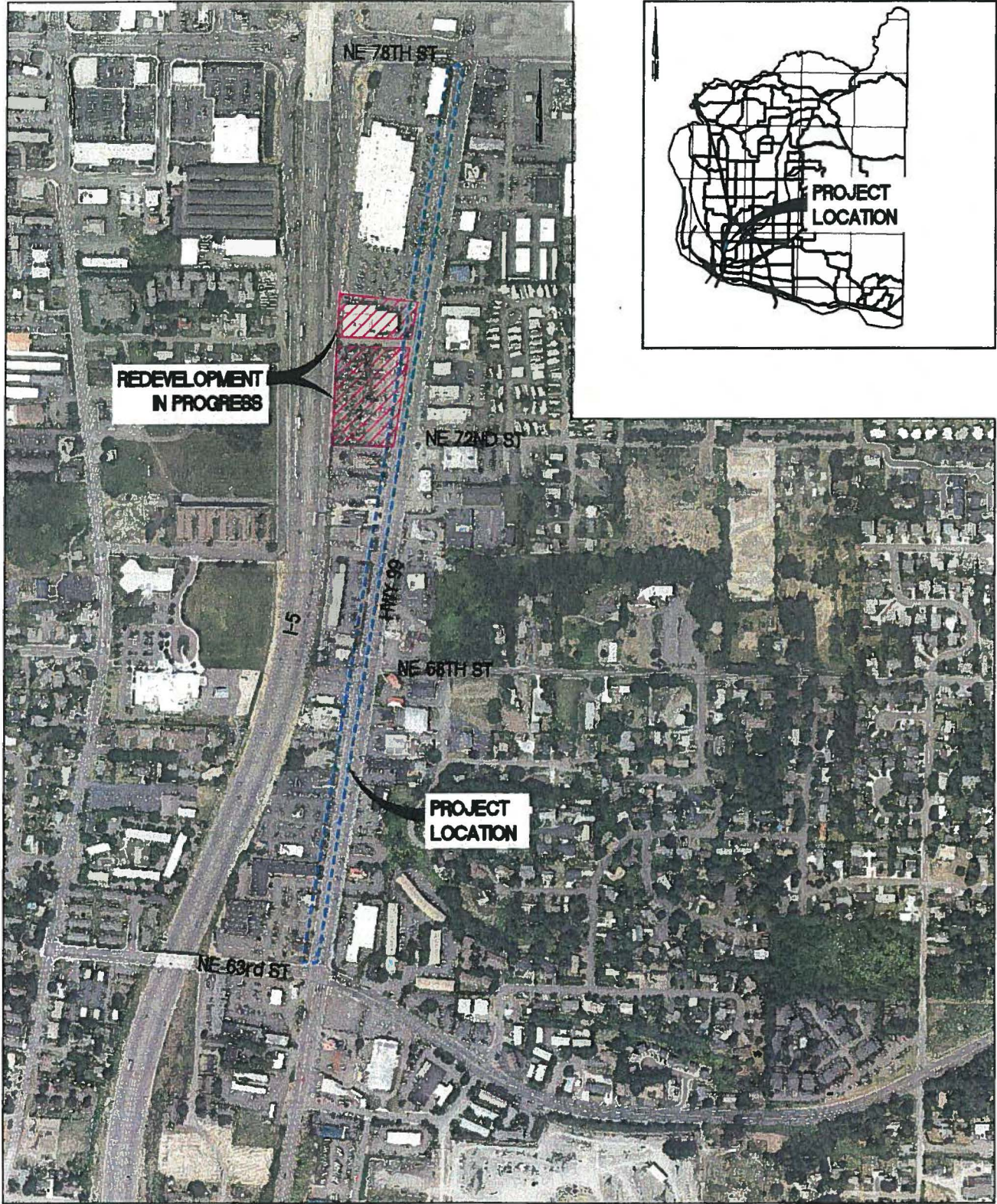
Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

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).



HWY 99 PED/BIKE IMPROVEMENTS - VICINITY MAP



CLARK COUNTY proud past, promising future



Hennel Global Partner