

SBCAG STAFF REPORT

SUBJECT: Measure A North County Safe Routes to School, Bicycle and Pedestrian Program

MEETING DATE: June 20, 2019

AGENDA ITEM: 4F

STAFF CONTACT: Dylan Tonningsen

RECOMMENDATION:

Approve and authorize the Chair to execute a First Amendment to the Measure A North County Safe Routes to School, Bicycle and Pedestrian Program Cycle 2 Cooperative Agreement with the City of Guadalupe to extend the Timely Use of Funds deadline for one year to June 30, 2020.

DISCUSSION:

The Measure A North County Regional Bicycle & Pedestrian and Safe Routes to School Cycle 2 program guidelines adopted by the SBCAG Board require local agencies that receive funding through the competitive call for projects process to complete their projects by a timely use of funds deadline. The deadlines are established each cycle for various project categories such as pre-construction, planning studies and programs, and construction. This provision, supported by the local public works departments that helped draft the program guidelines, ensures that projects be delivered or the funding returned to SBCAG for use on another needed local project.

Per the adopted guidelines, the SBCAG Board may extend the deadlines for timely use of funds no more than one time and only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than the duration of time listed above for each type of project or project phase. Any project or project phase granted an extension may not compete for additional funding for a subsequent phase until that project or project phase has been completed and funds are expended. The length of allowable extension requests varies from 6 to 18 months depending on the project category. If a project is unable to expend funds before the extended deadline, project funds are forfeited back to SBCAG for reallocation.

City of Guadalupe

The City of Guadalupe requests a twelve-month extension to its Cycle 2 Guadalupe Street/ Highway 1 Sidewalk Project. The extension for the Guadalupe Street / Highway 1 Sidewalk Project is for expenditure of Measure A funds for design. Under the Cycle 2 guidelines Bicycle and Pedestrian projects may be extend up to 12 months upon a showing of the extraordinary circumstances directly attributable to a delay.

SBCAG finds an unforeseen and extraordinary circumstance beyond the control of the City of Guadalupe occurred because of delays in the Caltrans permit approval process, which subsequently increased the complexity of the project and required additional engineering work on



behalf of the city. The time extension request letter from the city (Attachment A) provides more detailed information regarding the details of the delay.

The City of Guadalupe is confident that this project will be completed within the one year requested extension. The full twelve month time extension is directly attributed to the condition described above. The extension would be from June 30, 2019 to June 30, 2020.

SBCAG staff checks in on project progress routinely with local agencies, and will place emphasis on the projects with extended deadlines as the deadlines grow closer to help ensure all Measure A funds are expended on time.

The recommended action is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378 of the CEQA Guidelines.

COMMITTEE REVIEW:

On June 12, the North County Subregional Planning Committee unanimously recommended approval of the amendment by the SBCAG Board.

ATTACHMENTS:

- A. City of Guadalupe Time Extension Request Letter
- B. Project Scope, Cost Schedule and Funding Plan
- C. First Amendment to the Cooperative Agreement with the City of Guadalupe

ATTACHMENT A



Jeff van den Eikhof, PE
City Engineer

918 Obispo Street
P.O. Box 908
Guadalupe, CA 93434
805-470-1910 ext. 101

June 12, 2019

VIA EMAIL

Mr. Sarkes Khachek
Santa Barbara County Association of Governments
260 N. San Antonio Rd. Suite B
Santa Barbara, CA 93110

Subject: MEASURE "A" SEMI-ANNUAL PROGRESS REPORT, EXTENSION REQUEST

Dear Mr. Khachek:

This letter is provided to you as required per Measure A, North County Safe Routes to School, Bicycle and Pedestrian Program Guidelines as a progress report for the City's Measure "A" Safe Routes to School, Bicycle and Pedestrian project, Guadalupe Street/Highway 1 Pedestrian Improvements (ATP Cycle 3A) Project.

The City of Guadalupe submitted plans for the ATP Cycle 3 Project to the Caltrans District 5 Permitting Office on May 25, 2018. When submitted, the City could not have anticipated the length of time required to receive an encroachment permit. Three of the times we submitted plans for review, a new reviewer was assigned to the project. Often the reviewer's comments contradicted the previous reviewer. Several times, the permit reviewer would keep the plans for six weeks (the maximum allowed time for review) before returning with minor comments. Additionally, during the review process, the Caltrans Permitting Office started implementing new design standards for curb ramps. The ATP Cycle 3 application included single replacement ramps at each corner. The new standard requires directional ramps. Due to the existing site conditions, directional ramps were impossible without the installation of bulb-outs and two ramps at each corner. The addition of bulb-outs significantly increased the cost and complexity of the project and required additional survey and engineering design work. Caltrans also initially denied the installation of rectangular rapid flashing beacons (RRFBs) at critical locations which increased coordination time with Caltrans Local Assistance and the CTC. With the help of Local Assistance, the City was successful in securing the installation of RRFBs at one intersection.

The City has received an encroachment permit from Caltrans permitting, and the construction documents are ready for bidding. However, due to the number of revisions required by Caltrans, the California Transportation Commission (CTC) now must approve a change in scope for ATP Cycle 3 before the City can request a funding authorization. The City has requested a scope change and time extension from the CTC, which is on the August 2019 CTC agenda. If the scope change is approved, the City will request funding authorization at the next available CTC meeting and will start bidding the project as

soon as the funding authorization is approved. If the scope change is not approved, the plans will need to be revised, and the permitting process with Caltrans will start again.

The City of Guadalupe requests a 12-month time extension from SBCAG for the Measure A North County Bicycle, Pedestrian, and Safe Routes to School Program funding. We anticipate constructing the project in June of 2020.

Should you require additional information, please do not hesitate to contact me at 805-470-1910 or via e-mail at jeff@eikhofdesigngroup.com.

Respectfully,

A handwritten signature in blue ink that reads "Jeff van den Eikhof". The signature is fluid and cursive, with the first name "Jeff" being the most prominent.

Jeff van den Eikhof, PE
Contract City Engineer
City of Guadalupe



ATTACHMENT B

PROJECT SCOPE, COST, SCHEDULE AND FUNDING PLAN



Project Sponsor: City of Guadalupe

Measure A Project ID #: MSA-2-2

Project Name: Guadalupe Street (Hwy 1) Pedestrian Improvements

Project Scope: The City of Guadalupe will construct pedestrian improvements that include a large segment of sidewalk, curb ramps and re-stripping of crosswalks and traffic calming along Guadalupe Street and near Mary Buren elementary school and also adds 2 new crosswalks.

Project Location: On Guadalupe Street

Project Contact: City Administrator

Project Payment: Payment made from SBCAG to City of Guadalupe

Funding Program: North County Cycle 2

							Project Schedule		
Project Phase	Description	Total Project Cost Estimate	Measure A Amount	Measure A %	Sponsor funding amount	Sponsor funding %	Start	Finish	Timely Use of Funds Deadline
Environmental	Complete Enviromental	\$5,000	\$0	0	\$5,000	100	October 2017	6/30/2018	Not applicable
Design	Design of project	\$35,000	\$32,196	7%	\$2,804	8%	October 2017	6/30/2019	6/30/2019
								6/30/2020	6/30/2020
Construction	Construction of project	\$401,000	\$0	0%	\$401,000	100%	July 2019	6/30/2020	Not applicable - Funded by State
Total		\$441,000	\$32,196		\$408,804				

ATTACHMENT C

FIRST AMENDMENT TO MEASURE A PROJECT COOPERATIVE AGREEMENT

For project awarded to City of Guadalupe in Cycle 2 of the Measure A Bicycle and Pedestrian and Safe Routes to School Programs

This First Amendment to the Cooperative Agreement ("First Amendment") is entered into by and between the City of Guadalupe, a municipal corporation ("Sponsor") and the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, a State local government, acting as the Santa Barbara County Local Transportation Authority ("Authority").

WHEREAS, on September 21, 2017, Authority and Sponsor entered into a Cooperative Agreement to provide funding from the Measure A Cycle 2 North County Safe Routes to School, Bicycle and Pedestrian Program specified herein (the "Program") to Sponsor's projects for the particular transportation improvement project work specified in the Cooperative Agreement (the "Projects"); and

WHEREAS, Sponsor is requesting an amendment to Timely Use of Funds deadlines shown in Attachment B of the Cooperative Agreement; and

WHEREAS, Authority may allow extensions for the Timely Use of Funds due to extraordinary or unforeseen circumstances, per the program guidelines; and

WHEREAS, Sponsor's request for an extension is recommended by North County Subregional Committee to the SBCAG Board; and

WHEREAS, Authority has determined the Projects are eligible as approved by the SBCAG Board on April 15, 2015 for Measure A funds; and

WHEREAS, the Cooperative Agreement Section 3.7 Amendment requires both parties agree to change or modify the Agreement in writing; and

WHEREAS, Authority finds an unforeseen and extraordinary circumstance beyond the control of the Sponsor occurred because the project, which is located on Highway 1 in the City of Guadalupe, required a Caltrans encroachment permit for construction. Plans were originally submitted to the Caltrans District 5 Encroachment Permit Office for review on May 25, 2018. The plans were reviewed a total of five different times by all the various Caltrans divisions before permit approval was received. The curb ramps and street crossing had to be redesigned multiple times. Between the time the application was submitted and approved, the Caltrans ADA requirements within the State Highway Right-of-Way changed. The changes necessitated the redesign of the project, which included the addition of curb bulbouts at 9th Street. Additionally, the Caltrans Permit Office initially denied the City's requests for rectangular rapid flashing beacons (RRFB's) within the project area without collision data. With the assistance of the Caltrans Local Assistance Office, the Caltrans Permitting Office allowed the City to apply for an Encroachment Permit Rider to allow the

installation of RRFB's at the Highway 1 and 5th Street crossing. This permit rider was received on Friday, April 26, 2019. The City of Guadalupe is confident that this project will be completed within the one year requested extension. The full twelve-month time extension is directly attributed to the condition described above. The extension would be from June 30, 2019 to June 30, 2020.

NOW, THEREFORE, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived therefrom, the Parties hereby agree to amend the Cooperative Agreement through this First Amendment as follows:

1. Section 1.8.b. is added in its entirety as follows:

Section 1.8.b. Timely Use of Funds Extension. In accordance with Authority's Cycle 2 Program Guidelines Timely Use of Funds policy, Sponsor may request one extension of up to 12 months for plans and studies, up to 6 months for preliminary engineering, and up to 18 months for construction projects. Extension requests will be presented to the North County Subregional Committee which will make recommendations to the SBCAG Board.

Authority may extend the deadline for timely use of funds no more than one time and only if it finds that an unforeseen and extraordinary circumstance beyond the control of the Sponsor has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstances and will in no event be for more than the duration described in the above paragraph and in Authority's Cycle 2 Program Guidelines.

2. Attachment B is attached hereto and incorporated herein by reference and amended as follows:

Timely Use of Funds Deadline for Plan Development: ~~6/30/2019~~ 6/30/2020

3. **Ratifications.** The terms and provisions set forth in this First Amendment shall modify and supersede all inconsistent terms and provisions set forth in the Cooperative Agreement. The terms and provisions of the Cooperative Agreement, except as expressly modified and superseded by this First Amendment, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding, and enforceable obligations of the parties.
4. **Counterparts.** This First Amendment may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

(Signatures on following page.)

IN WITNESS WHEREOF, the undersigned parties have executed this First Amendment and it shall become effective when fully executed by the parties.

ATTEST:
Marjie Kirn, Executive Director
Clerk of the Board

SBCAG, acting as the SANTA BARBARA
COUNTY LOCAL TRANSPORTATION
AUTHORITY:

By: _____

By: _____

Alice Patino, Chair

Date: _____

ATTEST:

CITY OF GUADALUPE

By: _____

Joyce Raguz
City Clerk

By: _____

Ariston Julian, Mayor

Date: _____

APPROVED AS TO ADMINISTRATION:

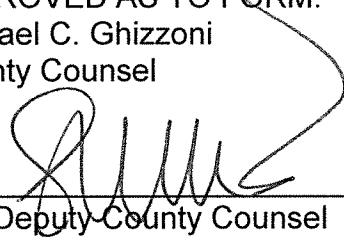
APPROVED AS TO FORM:

Michael C. Ghizzoni
County Counsel

By: _____

Robert Perrault
Interim City Administrator

By: _____


Deputy County Counsel

APPROVED AS TO FORM:

By: _____

Philip Sinco
City Attorney