



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 02/17/98

AGENDA ITEM 3

WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: **WEST WINTON AVENUE SPREAD SPECTRUM RADIO INTERCONNECT:
AUTHORIZATION TO EXECUTE PROGRAM SUPPLEMENT NUMBER 001-M**

Recommendation

It is recommended that the City Council authorize execution of Program Supplement Number 001-M to Agency-State Agreement No. 04-5050.

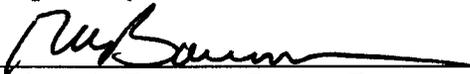
Background/Discussion:

The Congestion Mitigation and Air Quality (CMAQ) Improvement Program was established by the 1991 Federal Intermodal Surface Transportation Efficiency Act (ISTEA). The purpose of the program is to fund projects and programs which reduce or maintain the National Ambient Air Quality Standards in non-attainment and air quality maintenance areas for ozone and carbon monoxide, under the provisions of the 1990 Clean Air Act. A wide and diverse variety of projects and programs are eligible to compete for CMAQ funding.

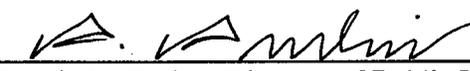
Staff successfully secured a \$173,000 grant under the Regional Traffic Signalization and Operations Program (RTSOP) created by the Metropolitan Transportation Commission with 88.5 percent funding coming from the CMAQ Program. The remaining 11.5 percent match is provided by the State, as allowed under statute SB 1435.

The purpose of this project was to interconnect the traffic signals on West Winton Avenue from Corsair Boulevard to Soto Road (nine intersections) utilizing radio communications (spread spectrum). This project has been completed satisfactorily. However, the execution of this program supplement is required before funds can be released to reimburse the City for this project.

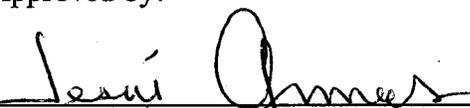
Prepared by:


Robert A. Bauman, Deputy Director of Public Works

Recommended by:


for Dennis L. Butler, Director of Public Works

Approved by:


Jesús Armas, City Manager

Attachments: Exhibit A - Program Supplement No. M-001

PROGRAM SUPPLEMENT NO. M001
to
AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 04-5050

Date: December 22, 1997
Location: 04-ALA-0-HAY
Project Number: CML-5050(006)
E.A. Number: 04-927828

This Program Supplement is hereby incorporated into the Agency-State Agreement for Federal Aid which was entered into between the Agency and the State on 05/30/97 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____, approved by the Agency on _____ (See copy attached).

The Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks setforth on the following pages.

PROJECT TERMINI:
ON WEST WINTON AVE: CORSAIR BLVD TO SOTO RD, IN THE CITY OF HAYWARD

TYPE OF WORK: TRAFFIC SIGNAL INTERCONNECTION **LENGTH:** 2.0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK
 Preliminary Engineering Right-of-Way BY FORCE ACCOUNT
 Construction Engineering Construction

Estimated Cost	Federal Funds	Matching Funds			
		Local	STATE TSM	OTHER	
\$ 190888	320 \$	\$ 153000	\$ 18065	\$ 19823	\$ 0

City of Hayward

STATE OF CALIFORNIA
Department of Transportation

By _____

By _____
Chief, Office of Local Programs
Project Implementation

Date _____

Date _____

Attest _____

Title _____

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

Accounting Officer: MM Monagan Date: 12-22-97 \$ 172823.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
282	1997	2660-101-890	97-98	20.30.010.820	C	262040 892-F	153000.00
282	1997	2660-125-042	97-98	20.30.010.821	C	258020 042-T	19823.00

SPECIAL COVENANTS OR REMARKS

1. All maintenance, involving the physical condition and the operation of the improvements, referred to in Article VI MAINTENANCE of the aforementioned Master Agreement will be performed by the Local Agency at regular intervals or as required for efficient operation of the completed improvements.
2. The Local Agency will reimburse the State for their share of costs for work requested to be performed by the State.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Office of Local Programs Project Implementation.
4. State Traffic System Management (TSM) funds are being made available to match only those federal funds eligible in accordance with Section 182.4 of the Streets and Highways Code and as permitted by Article XIX of the State Constitution.
5. Federal funds eligible for TSM match will be proportional to the total federal participating amount established at contract award as indicated on the Finance or Bid Letter or its modification.
6. TSM match funds will be paid under normal progress payment procedures after contract award or upon approval of the Annual State Budget, whichever occurs later.
7. The Local Agency will advertise, award and administer this project in accordance with the current Local Program Procedures or the new Local Programs Manual, when issued.
8. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.
9. Whenever the local agency uses a consultant on a cost plus basis, the local agency is required to submit a post audit report covering the allowability of cost payments for each individual consultant or sub-contractor incurring over \$25,000 on the project. The audit report must state the applicable cost principles utilized by the auditor in determining allowable costs as referenced in CFR 49, part 18, Subpart C - 22, Allowable Costs.

DRAFT JB 2/13/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE PROGRAM SUPPLEMENT NUMBER
M-001 TO AGENCY-STATE AGREEMENT NO. 04-5050
FOR THE WEST WINTON AVENUE SPREAD
SPECTRUM RADIO INTERCONNECT**

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute on behalf of the City of Hayward, Program Supplement No. M-001 to the Agency-State Agreement no. 04-5050 for the West Winton Avenue Spread Spectrum Radio Interconnect.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ATTEST: _____
City Clerk of the City of Hayward**

APPROVED AS TO FORM:

City Attorney of the City of Hayward