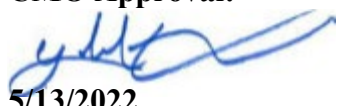


CITY COUNCIL ACTION REQUEST

Department(s): Transportation	CEQA: Not a Project, File No. PP17-003, Agreements/	Coordination: City Attorney's Office, City Manager's Budget Office, and Planning, Building and Code Enforcement Department	Dept. Approval: /s/ John Ristow
Council District(s): Citywide	Contracts (New or Amended) resulting in no physical changes to the environment		CMO Approval:  5/13/2022

SUBJECT: MASTER AGREEMENT CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE-AID TRANSPORTATION PROJECTS

RECOMMENDATION:

Adopt a resolution authorizing the City Manager or designee to:

- (a) Execute the amended Master Agreement with the California Department of Transportation (Caltrans) for State-Aid Transportation Projects; and
- (b) Negotiate and execute Program Supplement Agreements, Fund Exchange Agreements, or Fund Transfer Agreements, and any amendments thereto, with Caltrans for State Funded Transportation Programs/Projects enabling the City to receive funds for qualifying programs/projects.

BASIS FOR RECOMMENDATION:

On an ongoing basis, the City of San José (City) has maintained a Master Agreement with Caltrans that allows the City to receive federal and state funds from various transportation programs. Some of these programs include the Active Transportation Program, One Bay Area Grant Program, Congestion Mitigation and Air Quality Improvement Program, Sustainable Transportation Planning, and Highway Safety Improvement Program. Caltrans is authorized to administer state and federal funding from these programs for funds allocated to local agencies in California and Caltrans requires that each local agency have a master agreement in order to receive the state and federal funds.

The master agreement contains the basic terms related to implementing state funded projects. The key elements of the master agreement include the following: specifies that project implementation must conform with the rules and regulations of the Caltrans Local Assistance Manual and Guidelines; defines provisions for award, administration, and inspection of projects; defines provisions for right-of-way maintenance and management; defines fiscal requirements of the program including audit requirements; and contains provisions related to indemnification, termination, fair employment, and non-discrimination.

The current agreement "Administering Agency-State Agreement for State-Aid Projects" between the City and Caltrans was last updated on October 16, 2008. The proposed updates to the Master Agreement are intended to ensure the agreement language is in accordance with current state requirements and procedures.

For specific transportation projects selected for funding from state grant programs, the City will execute a supplemental agreement to the master agreement, referred to as a "program supplement." The program supplement describes the project scope and the grant funding amount for each phase of project implementation. Approval of this recommendation will maintain the City's ability to receive state grant funds, while approval of the resolution will increase efficiencies by authorizing the City Manager or designee signature authority for the execution and negotiation of routinely requested agreements or potential amendments.

Climate Smart San José: The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

Commission Recommendation/Input: No commission recommendation or input is needed for this action.

COST AND FUNDING SOURCE:
The proposed recommendation will not increase costs or necessitate new funding sources. This is a master agreement, and therefore is not specific to any one project. When specific awards are received, those projects will be brought forward to the City Council or City Manager's Office to execute a project specific program supplement.
FOR QUESTIONS CONTACT: Devin Gianchandani, Senior Transportation Specialist, Department of Transportation at (408) 975-3254.