

SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO: C-5

DATE: January 10, 2008

SUBJECT: Resolution 08 - 01
Appoint Washington State Department of Transportation as
Certified Agent
Sultan Basin Road Project, Phase III

CONTACT PERSON: Public Works Director Dunn

ISSUE:

The issue before the Council is the approval of Resolution 08-01 appointing Washington State Department of Transportation (WSDOT) acting as Certified Agent (CA) for the Sultan Basin Road Project Phase III.

STAFF RECOMMENDATION:

City staff recommends approval of Resolution 08-01 appointing WSDOT as CA for the Sultan Basin Road Project – Phase III. The cost to the City is approximately \$1,000.00 according to conversations with WSDOT.

There will be additional WSDOT costs for environmental review, channelization plan review, signal review and other costs associated with the technical review of the project.

BACKGROUND:

October 18, 2007, the City Council approved using WSDOT as the City of Sultan CA for design and construction of the Phase III of the Sultan Basin Road intersection. Phase III is the continuation and final phase of the Sultan Basin Road relocation project that started in 1997. This phase when constructed, will provide direct access from US 2 into the Industrial area on the south side of US 2.

Upon review of the Local Agency Agreement, the City Council needs to appoint WSDOT as CA with a Resolution and a letter of understanding. This agenda item is a house keeping item, the letter of understanding is written and ready for signature.

The Federal Highway Administration (FHWA) through a Stewardship Agreement delegates authority to the WSDOT for approving project development and construction administration.

WSDOT delegates this authority through a Certification Acceptance (CA) program. The program does not eliminate any project development procedures. Benefits of CA to a local agency include savings in time and money since the agency has the authority to develop, advertise, award and manage its own projects. Another benefit is that only the agencies with CA status may construct federal aid projects using agency forces.

CA requires local agencies to commit sufficient staff and other resources to project administration to ensure that all applicable state and federal requirements are met and they can be accomplished efficiently. Once an agency has been certified, the certification agreement remains in effect indefinitely unless receded due to lack of performance or modified by one of the parties.

The City of Sultan does not have the necessary resources to commit sufficient staff and financial resources to project administration to ensure the applicable state and federal requirements are met.

SUMMARY:

The City is ready to begin work on Phase III of the Sultan Basin Road. The project is partially funded by federal grants. Federal grant funds require the project to be managed by a "certified agent". The City of Sultan does not have a CA status.

ALTERNATIVES:

1. Approve Resolution 08-01 to appoint WSDOT to act as the City's certified agent for project administration for the Sultan Basin Road Project, Phase III. WSDOT staff estimates there will be a minimal cost for CA services (approximately \$1,000.00).

The \$1,000.00 cost estimated provided by WSDOT seems reasonable. There may also be some economies of scale since as CA; Department of Transportation personnel should work closely and more efficiently with staff from within their office.

2. Do not approve Resolution 08-01 to appoint WSDOT as CA for project administration for the Sultan Basin Road Project, Phase III and direct staff to pursue agreements with other certified agency as the City's CA.

Under the WSDOT local agency guidelines, the City can contract with any certified agency to act as the City's CA on the Sultan Basin Road Project, Phase III.

The City contracted with Snohomish County to act as its CA for Sultan Basin Road Project, Phase I and II. In discussing the possibility of having the County perform similar services for Phase III, the County gave the City a cost estimate of \$50,000.00.

The City could also choose to contract another CA such as City of Monroe to perform the CA functions.

3. Do not approve Resolution 08-01 appointing WSDOT to act as the City's CA for project administration for the Sultan Basin Road Project Phase III and direct staff to areas of concern.

FISCAL IMPACT:

A WSDOT official estimated the cost to be approximately \$1,000.00 paid from project funding sources. This is included in the letter of understanding between the City and WSDOT.

RECOMMENDED ACTION:

Move to approve the Mayor to sign Resolution 08-01 appointing the Washington State Department of Transportation as the Certified Agency on Sultan Basin Road Project Phase III.

COUNCIL ACTION:

DATE:

ATTACHMENT: A. Resolution 08 - 01

**CITY OF SULTAN
RESOLUTION 08-01**

A RESOLUTION OF THE CITY OF SULTAN APPROVING THE DESIGNATION OF THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION TO BE CERTIFIED AGENT FOR SULTAN BASIN ROAD PHASE III INTERSECTION PROJECT.

WHEREAS, the City of Sultan received Federal Funding to construct and design the south portion of the US 2 and Sultan Basin Road Intersection.

WHEREAS, the City of Sultan is not a Certified Agent (CA) with the Federal Highway Administration and needs a CA to administer the project.

WHEREAS, the City of Sultan has entered into a Local Agency Agreement with WSDOT to perform the duties of a CA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sultan, that Washington State Department of Transportation will be the Certified Agent for the Sultan Basin Road Project Phase III as designated in the Local Agency Agreement.

REGULARLY ADOPTED by the City Council January 10, 2008

City of Sultan

Carolyn Eslick, Mayor

ATTEST:

Laura J. Koenig, City Clerk