

# COUNTY OF SAN MATEO

## Inter-Departmental Correspondence

**Date:** September 12, 2001

**Board Meeting Date:** September 25, 2001

**TO:** Honorable Board of Supervisors

**FROM:** Neil R. Cullen, Director of Public Works

**SUBJECT:** **Delegation of Authority to Execute Agreements for Grant Funding and Other Forms as May be Required by the California Department of Transportation in Conjunction with Federal or State Grants for Road Improvements Projects**

### RECOMMENDATION

Adopt a resolution authorizing the Director of Public Works or his/her duly authorized representative to execute Master Agreements, Program Supplements, Fund Exchange Agreements, Fund Transfer Agreements or other forms as may be required by the California Department of Transportation (Caltrans) in conjunction with Federal or State Grants for road improvement projects that have been approved by the Board of Supervisors.

### Key Facts

1. Caltrans administers federal funds on behalf of the Federal Highway Administration (FHWA) and other funds on behalf of the State of California.
2. The County is eligible to receive federal or state funding for certain transportation projects through Caltrans either by a competitive bid or allocation basis. The majority if not all of these grants are on a reimbursable basis.
3. We recommend and your Board considers and approves applications for grants on a project-by-project basis. However, the number of agreements, forms or certifications associated with a project continues to increase with each funding cycle.
4. We believe that we can reduce the "procedural paperwork" and expedite grant reimbursements if your Board authorizes the Director of Public Works or his/her duly authorized representative to execute all the subsequent agreements and forms associated with a project where the grant application has been approved by your Board.

Honorable Board of Supervisors

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### **Discussion**

The federal and state grant approval process administered by Caltrans has become more and more complex with each funding cycle as additional federal and state regulations require additional forms to be certified by the receiving agency. As an example, the receipt of federal funds on a grant reimbursable basis now requires execution of an original Master Agreement and occasionally an update to the Master Agreement; a Program Supplemental Agreement which specifies the dollar amount associated with an individual project; updates to the Program Supplement Agreement or a Fund Transfer agreement if additional funds become available or if a project has multiple year funding sources; and right-of-way certifications associated with each project.

We have previously brought these forms and agreements to your Board for approval. However, we believe that a more expeditious method of complying with grant procedures is to authorize the Director of Public Works to sign on behalf of the County after your Board has authorized the application for grant funds for specific projects. In this way, your Board maintains its authority to determine if a grant for a project should be pursued, and the administrative work associated with an approved grant is delegated to staff.

Caltrans agrees with this approach as they have recently urged local agencies to delegate authority to the appropriate levels in the hopes of expediting grant payments that they are responsible for administering, as they have been criticized for delaying payments while awaiting the approvals of associated forms by the governing board of the jurisdiction that is receiving the grant funding on a reimbursable basis.

### **Fiscal Impact**

There is no impact to the General Fund or other fund of the County by your Board adopting a resolution delegating administrative approvals to the Director of Public Works for road improvement projects.

Honorable Board of Supervisors

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A form of resolution has been approved by County Counsel.



Neil R. Cullen  
Director of Public Works

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**File No.:**

cc: Milt Mares, County Counsel

Resolution No. \_\_\_\_\_

Board of Supervisors, County of San Mateo, State of California

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**Resolution Authorizing Authority to Execute Master Agreements, Program Supplements,  
Fund Exchange Agreements and/or Fund Transfer Agreements and Other Forms with the  
California Department of Transportation, to the Director of Public Works or  
His/Her Duly Authorized Representative**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County of San Mateo is eligible to receive federal or state funding for certain transportation projects, which are administered by the California Department of Transportation; and

**WHEREAS**, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, or other forms need to be executed before such funds can be claimed; and

**WHEREAS**, this Board of Supervisors wishes to delegate authority to the Director of Public Works or his/her duly authorized representative to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and

any amendments thereto together with any other forms as may be required by the California Department of Transportation associated with grants approved by this Board for specific road improvement projects.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Director of Public Works or his/her duly authorized representative is hereby authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto together with any other forms as may be required by the California Department of Transportation associated with grants approved by this Board for specific road improvement projects.

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