



Public Works Agency
— Alameda County —

AGENDA ITEM NO. _____ November 20, 2012

November 2, 2012

The Honorable Board of Supervisors
County Administration Building
1221 Oak Street
Oakland, CA 94612

Dear Board Members:

SUBJECT: APPROVE AND EXECUTE AMENDMENT NO. 3 TO THE BAY AREA
AIR QUALITY MANAGEMENT DISTRICT FUNDING AGREEMENT
NO. 08BFP05

RECOMMENDATION:

Approve and authorize the President of the Board to execute Amendment No. 3. to the Transportation Fund for Clean Air grant funding agreement No. 08BFP05 (C-2012-18) with the Bay Area Air Quality Management District (Chief Executive Officer: Jack P. Broadbent; Location: San Francisco, CA), for the Stanley Boulevard Safety and Streetscape Improvement Project, extending the agreement term from February 28, 2013, to July 31, 2013, with no change to the grant funding amount of \$127,500.

SUMMARY/ DISCUSSION:

On January 13, 2009, your Board approved and executed Transportation Fund for Clean Air (TFCA) grant funding agreement No. 08BFP05 (C-2009-9), with the Bay Area Air Quality Management District (BAAQMD) in the amount of \$127,500 to construct bicycle lanes on Stanley Boulevard. Utility relocations which have significantly delayed the project construction have been completed recently and the project is progressing towards completion. Because the expected project construction completion will occur after the expiration of the current agreement, this agreement amendment will allow the County sufficient time to complete project construction and submit the required documents to the BAAQMD for reimbursement.

The BAAQMD requires an executed agreement amendment to modify the terms and conditions for reimbursement of TFCA grant funds for this project.

FINANCING:

There will be no impact on County funds resulting from the execution of this agreement amendment.

Yours truly,



Daniel Woldesenbet, Ph.D., P.E.
Director of Public Works

DW:BN
Attachment
c: County Counsel
Auditor-Controller

**AMENDMENT NO. 3 TO
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
FUNDING AGREEMENT NO. 08BFP05**

This amendment to the above-entitled funding agreement ("Amendment to Agreement") is dated, for reference purposes only, October 16, 2012, and consists of six (6) pages.

RECITALS:

1. The Bay Area Air Quality Management District ("DISTRICT") and Alameda County Public Works ("PROJECT SPONSOR") (hereinafter referred to as the "PARTIES") entered into the above-referenced Funding Agreement for a project, Stanly Boulevard Bicycle Lanes ("Project"), which Agreement was executed on February 26, 2009, and amended on December 27, 2010, and March 27, 2012 (the "Agreement").
2. The PROJECT SPONSOR sought to extend the Project Schedule and Final Report Due Date deadlines due to delays caused by removal of utility poles and the undergrounding of utilities.
3. Pursuant to Section IV Paragraph 3 of the Agreement, PARTIES desire to amend the Agreement as follows:

TERMS AND CONDITIONS OF AMENDMENT TO AGREEMENT:

1. By this Amendment to Agreement, PARTIES amend the Agreement by deleting in its entirety Attachment B, "Project Description," and replacing it with the amended Attachment B, "Project Description," which is annexed hereto and made a part of the Agreement.
2. By this Amendment to Agreement, PARTIES amend the Agreement by deleting in its entirety Attachment C, "Monitoring of Project Performance," and replacing it with the amended Attachment C, "Monitoring of Project Performance," which is annexed hereto and made a part of the Agreement.
3. PARTIES agree that all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES to the Funding Agreement have caused this Amendment to Agreement to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

COUNTY OF ALAMEDA

By: _____
Damian Breen
Director, Strategic Incentives Division

By: _____
President
Alameda County Board of Supervisors

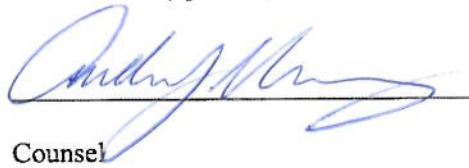
Date: _____

Date: _____

Approved as to form:

Approved as to form (optional):

By: _____
Brian C. Bunger
District Counsel

By: 
Counsel

**ATTACHMENT B
PROJECT DESCRIPTION**

1. **Project Title:** Stanley Boulevard Bicycle Lanes
2. **Project Useful Life:** 15 years
3. **Project Description:** Construction of approximately 1.5 miles of Continuous Construction Class II bicycle lane along both sides of Stanley Boulevard between Isabel Avenue and the Lonestar Quarry entrance straddling the cities of Pleasanton and Livermore.
4. **Project Schedule:**

<u>Milestone</u>	<u>Date</u>
Project start	Effective Date of Agreement
Asphalt paving complete	January 31, 2013
Construction activities complete; Project in service	April 30, 2013
Final Report due, per Attachment C	July 31, 2013

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**ATTACHMENT C
MONITORING OF PROJECT PERFORMANCE**

1. Semi-annual Reports (Section II.6):

Due Dates: Every April 15 and October 15 following the Effective Date until the Final Report has been submitted.

The Project Sponsor shall submit semi-annual reports to the Air District summarizing Project progress. Semi-annual Reports shall be prepared on the Air District's Semi-annual Report Form.

2. Final Report (Section II.6):

Due Date: July 31, 2013

The Final Report shall include the following information:

- A. A description of the completed Project, its location, and Project specifications, including:
- For bikeways – Length, width, and materials used; amenities provided; activity centers serviced and documentation to demonstrate that the Project conforms to applicable design standards in Chapter 1000 of the *California Highway Design Manual*;
 - For bicycle racks, lockers, & storage facilities – Physical features and dimensions; security features; mechanism for gaining access; number of bicycles that can be accommodated; and
 - For bicycle racks on public transportation vehicles – Bicycle rack technical specifications; type of vehicles the racks are installed on; and vehicles' bicycle capacity; and service routes of the vehicles.
- B. Photographs of the completed bicycle facility. Digital photos may be sent by e-mail:
- For bikeway type projects - Photographs from at least three different locations along each non-contiguous segment of the bikeway.
 - For other projects (e.g., racks, lockers) - Photographs that demonstrate that all portions of the Project installed and/or obtained.
- C. Documentation that the Project Sponsor has acknowledged the Air District as a Project funding source during the Project's Useful Life (Section II.9.)
- D. Copies of any promotional materials, press releases, newsletter articles, or other media coverage related to the Project (Section II.9).

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