

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

October 26, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works –Transportation

SUBJECT

Cooperative Agreement with the City of Needles for Pavement Reconstruction on Needles Highway (Segment 1B)

RECOMMENDATION(S)

Approve Cooperative **Agreement No. 21-784** with the City of Needles for pavement reconstruction on Needles Highway, from 500 feet south of Park Road north to David Drive located within the City of Needles, in the amount of \$2,192,587, effective upon execution by both parties through December 31, 2025.

(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue, and other federal, state and local funding. The total estimated cost to reconstruct the pavement on Needles Highway, from 500 feet south of Park Road north to David Drive (Segment 1B) is \$2,192,587. This cost will be financed by federal Public Lands Highways (PLH) Program funds on a reimbursement basis, therefore, the Department will use Gas Tax revenue to construct Segment 1B and will be reimbursed with the PLH Program funds. Sufficient appropriation and revenue are included in the Department's 2021-22 Road Operations budget and will be included in future recommended budgets (6650002000 34H14876).

BACKGROUND INFORMATION

The San Bernardino County (County) and City of Needles (City) each applied for federal PLH Program funding to make the necessary pavement improvements on Needles Highway, from "N" Street northerly to the California/Nevada state line (Project), subsequently, County was selected to receive the PLH Program funds (Congressional discretionary funds) and act as the lead agency for the Project with limits in both the County and City jurisdictions.

On April 10, 2001 (Item No. 11) the Board of Supervisors (Board) entered into County Contract No. 01-257, which was a cooperative agreement with the City for the improvement of Needles Highway. Amendment No. 1 to Contract No. 01-257 was approved on August 9, 2016 (Item No. 29), authorizing County staff to implement and construct the pavement improvements on Needles Highway, from "N" Street northerly to the California/Nevada state line (under County

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Contract No. 01-257 known as “Project”). The Project consisted of the preliminary engineering phase for the entire Project limits from “N” Street northerly to the California/Nevada state line and construction phase for the following three segments: (1) from “N” Street to 600 feet north of Balboa Place (Segment “N”); (2) from 600 feet north of Balboa Place to 500 feet south of Park Road (Segment 1A); and the subject project, (3) from 500 feet south of Park Road north to David Drive (Segment 1B). Segments “N”, 1A and 1B under County Contract No. 01-257 were also known as “Sub-Projects”. Segment 1B is the last segment to be constructed. All three segments are located in the City boundary.

On August 19, 2014 (Item No. 38), the Board adopted the Mitigated Negative Declaration and Environmental Assessment for the Project, approved the Notice of Determination, and directed the Clerk of the Board to file and post said notice fulfilling the County’s obligation under the California Environmental Quality Act (CEQA).

Additionally, Segment 1B is funded by federal funds, and the United States Department of Transportation Federal Highway Administration (FHWA) is the federal lead agency for the purpose of the National Environmental Policy Act (NEPA) review. On May 28, 2014, the FHWA adopted and issued a Finding of No Significant Impact; and therefore, NEPA compliance for the Project is also complete. The construction of Segment “N” and Segment 1A are complete. The Segment 1B construction is anticipated to commence and be completed in the Summer of 2022.

County Contract No. 01-257 and Amendment No. 1 expired on December 31, 2020. Because this is the final segment to be constructed, the Department needed to determine how much remaining PLH funds were available and evaluate several options to optimize the use of available funds for Segment 1B. The Department has been working with Caltrans and the remaining PLH funds have been finalized for the completion of Segment 1B.

The final amount of available PLH funds has now been determined to be \$2,192,587, and an appropriate project scope has been identified. The County and City now desire to enter into the proposed Cooperative Agreement to construct Segment 1B in the City of Needles.

The Department requests the Board’s consideration and approval to allow the County to enter into a Cooperative Agreement with the City of Needles, under which the County will serve as the lead agency for Segment 1B and the PLH funding process. The City will continue to perform before, during, and after project construction maintenance of its streets that are located within the Project limits, except for those activities that are impossible to perform during the construction of Segment 1B. Construction of Segment 1B is anticipated to commence and be completed in Summer of 2022, and the estimated total cost to design and construct Segment 1B is \$2,192,587, which will be funded with PLH program funds assigned to the County. The recommended Cooperative Agreement is effective through December 31, 2025, to allow for any unforeseen construction delays, to complete project closeout inspections and activities, and to complete and submit project completion documentation to Caltrans.

The overall Project will ensure development of a well-planned, balanced and sustainable County by preserving and improving the structural integrity of existing road surface on Needles Highway. Furthermore, execution of the Cooperative Agreement and approval of the construction of Segment 1B allows the County to meet its goals and objectives by working cooperatively with the City to complete the Project. The City of Needles approved this Cooperative Agreement on September 28, 2021.

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PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on August 19, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on October 6, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on October 11, 2021.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Col. Paul Cook (Ret.)

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: October 26, 2021



cc: PW/Trans- Zamora w/agree
Contractor- C/O PW/Trans w/agree
File- w/agree
LA 10/28/2021