



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: NOVEMBER 2, 2021

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

**SUBJECT: CALIFORNIA DEPARTMENT OF TRANSPORTATION PROCEDURES FOR
SELECTING PROFESSIONAL CONSULTANT DESIGN SERVICES PER
CHAPTER 10 OF THE LOCAL ASSISTANCE PROCEDURES MANUAL –
RESOLUTION ADOPTION**

ISSUE:

Adopt a resolution prescribing to the procedures set forth in Chapter 10 of the California Department of Transportation Local Assistance Procedures Manual for selecting professional design consultants.

RECOMMENDATION:

That the City Council adopt a resolution prescribing to the California Department of Transportation procedures for selecting professional design consultants per Chapter 10 of the Local Assistance Procedures Manual.

BACKGROUND:

Title 23 Code of Federal Regulations Part 172 (23 CFR 172) allows the California Department of Transportation (Caltrans) Division of Local Assistance (DLA) to prescribe the policies and procedures for engineering and design-related services, also known as Architectural and Engineering (A&E). Local Public Agencies (LPAs) are responsible for adopting the written policies and procedures prescribed by the awarding State Transportation Agency.

The Federal Highway Administration's expectation is to achieve a 100% compliance rate in this area. Past process review findings by DLA showed a significant lack of or incomplete A&E procurement policies and procedures as one of the most common findings. A non-compliance of this matter can result in a loss of funds and/or other sanctions.

DISCUSSION:

In August 2021, the Caltrans DLA issued an Office Bulletin (OB) entitled "DLA OB 21-05: Adopting LAPM Chapter 10" (Attachment 1). The purpose of this bulletin is to provide guidelines to LPAs receiving federal funds for formally adopting policies consistent with these requirements outlined in Chapter 10 of the Caltrans Local Assistance Program for selecting professional consultants. LPAs are required to provide evidence of compliance to the DLA for adopting these policies by November 15, 2021. One method of compliance includes a City Council adopting the policies by Resolution (Attachment 2).

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority No. 6 Infrastructure, Mobility and Connectivity, and Goal No. 6.2** – Maintain, protect, and improve assets and infrastructure within the City's built environment to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.

This item aligns with EACH of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Federal money utilized to complete City projects is an integral part of the City's Capital Improvement Program (CIP). The Public Works Department (Public Works) typically receives federal monies in the form of grants that are part of a competitive and transparent application process. Additionally, the administration of federal funds requires an extensive federal oversight process with specific reporting requirements. Projects funded with federal funds are included in the CIP and would be subject to applicable presentations potentially to the City Council, Transportation Committee, etc.
2. **Equity** – Public Works strives to improve the City's infrastructure to provide safe and reliable transportation and services in all areas of the City. Public Works attempts to expend its financial resources equally throughout all wards. Additionally, staff meets with each City Councilmember to discuss our goals, budget, recommended street improvements, and obtain feedback on the requests they receive from their constituents.
3. **Fiscal Responsibility** – Public Works operates on a limited budget utilizing City generated funds. The City continuously pursues alternate funds, including State and Federal grants to supplement the City's funds in completing City projects. Federal funds are typically utilized to complete larger multimillion dollar infrastructure projects including grade separations and freeway interchanges that would be impossible for the City to fund on its own. Public Works is a prudent steward of public funds and ensures responsible management of the City's financial resources and will award construction contracts to the lowest responsive bidders for all construction projects.
4. **Innovation** – Public Works utilizes various methods for constructing its roadways and is always considering new or alternative approaches if deemed feasible. Some methods include recycled rubberized asphalt, rubberized rock chip interlayers, fiber reinforced asphalt, and rejuvenating the existing asphalt in place as a new surface course. Public Works is receptive to discussing new products with our local vendors and manufacturers.
5. **Sustainability & Resiliency** – The construction materials utilized in completing the City's CIP projects are considered the best practices in the industry. The use of rubberized and recycled material is a tremendous benefit to the environment and reduce waste storage while optimizing the comfort and ride for motorists.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

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Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Kris Martinez, Interim Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Caltrans Office Bulletin
2. City Resolution