

RESOLUTION NO. 2915

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A THREE-PAGE WSDOT LOCAL AGENCY SUPPLEMENTAL AGREEMENT IN ORDER TO OBTAIN ADDITIONAL FUNDING FOR USE ON THE FREEMONT AVENUE SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, the City desires to construct new curb and gutter, sidewalk, ADA ramps, school zone flashing beacons and asphalt repairs, on Fremont Avenue from North 1st Street to North 4th Street; and

WHEREAS, the City previously received a Federal State Transportation Block Grant (STBG) relative to such project; and

WHEREAS, the City has now been preliminarily approved, via the Yakima Valley Conference of Governments (YVCOG) Policy Board, to receive additional funding of \$23,826.00 for use on such project; and

WHEREAS, to obtain such additional funding, the City must enter into a written WSDOT Local Agency Supplemental Agreement; and

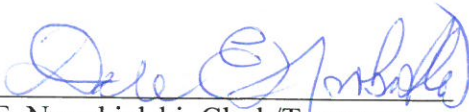
WHEREAS, a three-page Agreement – which will be the second supplemental agreement on this project – has been prepared and the terms are acceptable to City staff;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to sign a three-page WSDOT Local Agency Agreement Supplement in order to obtain additional funding for use on the Fremont Avenue Sidewalk Improvements Project.

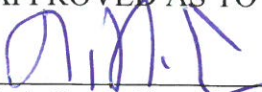
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 10<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
Sherry Raymond, Mayor

ATTEST:

  
\_\_\_\_\_  
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rob Case, City Attorney



# YAKIMA VALLEY CONFERENCE OF GOVERNMENTS

311 North 4th Street, Suite 204 • Yakima, Washington 98901  
509-574-1550 • FAX 574-1551  
website: [www.yvcog.org](http://www.yvcog.org)

April 19, 2022

Sherry Raymond, Mayor  
City of Selah  
115 West Naches Avenue  
Selah, WA 98942

**SUBJECT: 2022 YVCOG Surface Transportation Block Grant Set-aside (STBG Set-aside) Program Funding  
Augmentation Award** *(This letter supersedes the award letter of June 19, 2020)*

Dear Mayor Raymond,

Congratulations! Following its original 2020 competitive process, the Yakima Valley Conference of Government's Policy Board has approved an increase to your YVCOG Surface Transportation Block Grant Set-aside (STBG Set-aside) award approval to \$354,486 for the City of Selah's Fremont Avenue Sidewalk Improvements project. This includes an augmentation of \$23,826 approved by YVCOG's Transportation Policy Board on April 18, 2022.

Project progress reports will be required for all regional STBG Set-aside funded projects as part of the monthly YVCOG Transportation Technical Advisory Committee meetings. Any changes in federal funding amounts or anticipated obligation dates must be reported as soon as possible.

The project can be entered into the City of Selah's Transportation Improvement Program according to the following schedule:

- Obligation year = 2021; 2021 STBG Set-aside funding = \$ 44,526
- Obligation year = 2022; 2022 STBG Set-aside funding = \$286,134
- Obligation year = 2022 STP Set-aside funding = \$23,826 (*Augmentation*)

Projects must be included in the State Transportation Improvement Program (STIP) before these federal funds can be obligated. If you have any questions concerning STIP amendments, please contact Alan Adolf at YVCOG, (509) 574-1550 or email at [alan.adolf@yvcog.org](mailto:alan.adolf@yvcog.org).

As always, YVCOG is pleased to assist our members in securing funds necessary to realize their community goals.

Sincerely,

  
Christina Wickenhagen  
Executive Director

cc: Joe Henne, City Administrator, City of Selah  
Rocky Wallace, Public Works Director, City of Selah  
Local Programs Engineer, WSDOT South Central Region

## MEMBER JURISDICTIONS

Grandview • Granger • Harrah • Mabton • Moxee • Naches • Selah  
Sunnyside • Tieton • Toppenish • Union Gap • Wapato • Yakima • Yakima County • Zillah









|   |                              |  |
|---|------------------------------|--|
| Agency<br>City of Selah                     |                              | Supplement Number<br>2                                     |
| Federal Aid Project Number<br>TAP-4706(002) | Agreement Number<br>LA 10072 | CFDA No. <b>20.205</b> - Highway Planning and Construction |

All provisions in the basic agreement remain in effect except as modified by this supplement.

The Local Agency certifies that it is not excluded from receiving Federal funds by a Federal suspension or debarment (2 CFR Part 180). Additional changes to the agreement are as follows:

**Project Description**

Name Fremont Avenue Sidewalk Improvements

Length 0.18 miles

Termini N. 1st Street to N. 4th Street

Description of Work  No Change

**Reason for Supplement**

Augment construction funding after bid opening.

Are you claiming indirect cost rate?  Yes  No

Project Agreement End Date 12/31/25

Advertisement Date 3/23/22

| Type of Work                                 |   | Estimate of Funding                 |                   |   |                                  |                                   |
|--|---|-------------------------------------|-------------------|---|----------------------------------|-----------------------------------|
|  |   | (1)<br>Previous<br>Agreement/Suppl. | (2)<br>Supplement | (3)<br>Estimated Total<br>Project Funds | (4)<br>Estimated Agency<br>Funds | (5)<br>Estimated Federal<br>Funds |
| PE<br>100 %                                  | a. Agency                               |                                     |                   | 0.00                                    |                                  |                                   |
|  | b. Other                                | 43,526.00                           | 0.00              | 43,526.00                               | 0.00                             | 43,526.00                         |
| Federal Aid<br>Participation<br>Ratio for PE | c. Other CA                             | 500.00                              | 0.00              | 500.00                                  | 0.00                             | 500.00                            |
|  | d. State Services                       | 500.00                              | 0.00              | 500.00                                  | 0.00                             | 500.00                            |
|  | e. Total PE Cost Estimate (a+b+c+d)     | 44,526.00                           | 0.00              | 44,526.00                               | 0.00                             | 44,526.00                         |
| Right of Way<br>%                            | f. Agency                               |                                     |                   | 0.00                                    |                                  |                                   |
|  | g. Other                                |                                     |                   | 0.00                                    |                                  |                                   |
| Federal Aid<br>Participation<br>Ratio for RW | h. Other                                |                                     |                   | 0.00                                    |                                  |                                   |
|  | i. State Services                       |                                     |                   | 0.00                                    |                                  |                                   |
|  | j. Total R/W Cost Estimate (f+g+h+i)    | 0.00                                | 0.00              | 0.00                                    | 0.00                             | 0.00                              |
| Construction<br>100 %                        | k. Contract                             | 242,604.00                          | 17,756.00         | 260,360.00                              | 0.00                             | 260,360.00                        |
|  | l. Other Non-Participating Contract     | 65,946.00                           | -65,946.00        | 0.00                                    | 0.00                             | 0.00                              |
|  | m. Other Consultant                     | 42,530.00                           | 0.00              | 42,530.00                               | 0.00                             | 42,530.00                         |
| Federal Aid<br>Participation<br>Ratio for CN | n. Other CA                             | 500.00                              | 0.00              | 500.00                                  | 0.00                             | 500.00                            |
|  | o. Agency                               | 6,070.00                            | 0.00              | 6,070.00                                | 0.00                             | 6,070.00                          |
|  | p. State Services                       | 500.00                              | 0.00              | 500.00                                  | 0.00                             | 500.00                            |
|  | q. Total CN Cost Estimate (k+l+m+n+o+p) | 358,150.00                          | -48,190.00        | 309,960.00                              | 0.00                             | 309,960.00                        |
|  | r. Total Project Cost Estimate (e+j+q)  | 402,676.00                          | -48,190.00        | 354,486.00                              | 0.00                             | 354,486.00                        |

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions.

**Agency Official**

**Washington State Department of Transportation**

By *Sherry Raymond*  
Title Mayor  
Agency Date *May 10, 2022*

By  
Director, Local Program  
Date Executed

|  |                              |
|--|------------------------------|
| Agency<br>City of Selah                                    | Supplement Number<br>2       |
| Federal Aid Project Number<br>TAP-4706(002)                | Agreement Number<br>LA 10072 |
| CFDA No. <b>20.205</b> - Highway Planning and Construction |                              |

## VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin. Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

## VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation.

## IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

## VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

## XVII. Assurances

Local Agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

## Instructions

1. **Agency** – Enter the agency name as entered on the original agreement.
2. **Supplemental Number** – Enter the number of the supplement. Supplement numbers will be assigned in sequence beginning with Number 1 for the first supplement.
3. **Project Number** – Enter the federal aid project number assigned by WSDOT on the original agreement.
4. **Agreement Number** – Enter the agreement number assigned by WSDOT on the original agreement.
5. **Project Description** – Enter the project name, length, and termini.
6. **Description of Work** – Clearly describe if there is a change in work such as the addition or deletion of work elements and/or changes to the termini. If the work has not changed, put a check mark in the “No Change” box.
7. **Reason for Supplement** – Enter the reason for this supplement, i.e., increase PE funding to cover design changes presented in the revised prospectus; request funding of construction phase; decrease construction funding to the contract bid amount. If the supplement is authorizing a construction phase, the project’s proposed advertisement date must be included in the space provided.
8. **Claiming Indirect Cost Rate** – Check the Yes box if the agency will be claiming indirect costs on the project. For those projects claiming indirect costs, supporting documentation that clearly shows the indirect cost rate being utilized must be provided with the supplement. Indirect cost rate approval by your cognizant agency or through your agency’s self-certification and supporting documentation is required to be available for review by FHWA, WSDOT and /or State Auditor. Check the No box if the agency will not be claiming indirect costs on the project. See Section 23.5 for additional guidance.
9. **Project Agreement End Date** – Enter your previously established Project Agreement End Date. If authorizing a new phase of the project, update the Project Agreement End Date based on the following guidance:
  - a. **For PE and RW** – WSDOT recommends agencies estimate when the phase will be completed and add three years to determine the “Project Agreement End Date”.
  - b. **For Construction** – WSDOT recommends agencies estimate when construction will be completed and add three years to determine the “Project Agreement End Date”.
  - c. If an extension to a Project Agreement End Date is required between phase authorizations, the need for the extension must be described in the Reason for Supplement. Adequate justification to approve the extension must be submitted with the supplement. See Section 22.3 for additional guidance.
10. **Type of Work and Funding (Round all amounts to the nearest whole dollar).**
  - a. **Column 1** – Enter the amounts from column 1 of the original local agency agreement. If the agreement has already been supplemented, enter the amounts by type of work from column 3 of the last supplemental agreement.
  - b. **Column 2** – Enter increase/decrease to total amounts requested by type of work.
  - c. **Column 3** – Add the amounts in columns 1 and 2.
  - d. **Columns 4 and 5** – Enter the appropriate amounts based on the participation ratio recorded on the original agreement.
11. **Signatures** – An authorized official of the local agency signs the Supplemental Agreement and enters their title and date of signature (mm/dd/yy). **Note:** Do NOT enter a date on the Date Executed line.