



**Agenda Item Number: 2009-1-8F**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 8, 2008

**Department:** Public Works Division **Staff Contact:** Tim West, Deputy County Manager, Public Works

**TITLE:** First Amendment to Capital Cooperative Agreement Certification Project (2006 Legislative Appropriations)

**ACTION:** Motion to Approve:

1. First Amendment to Capital Cooperative Agreement Certification Project (2006 Legislative Appropriations)

**Commission District 4**

Tramway Boulevard Wall - Change to Sandia Heights Roadway Improvements, Control Number C6S12, Number Project ST-0556(201), \$200,000.

2. Administrative Resolution AR -2008 supporting the First Amendment to Capital Cooperative Agreement Certification Project, changing the purpose of the project.

**SUMMARY:**

The Capital Cooperative Agreement Certification Project approved on August 22, 2006 contained certain 2006 legislative. The attached First Amendment to this Agreement identifies the Tramway Boulevard Wall re-authorization of \$200,000 for use on Sandia Heights Roadway within Bernalillo County. The amended Agreement reflects language relating to 2007 SB826, Chapter 341, Section 17.

The New Mexico Department of Transportation prepared the First Amendment to the Agreement that now requires execution (Attachment 1). The County's support of the amended project by Administrative Resolution is also required (Attachment 2). Local matching funds are not required. The related Financial Resolution was approved by the Board on June 14, 2005, as part of the 2005-2006 mid-year budget adjustment. The amended Agreement is scheduled to terminate on June 30, 2011.

**ATTACHMENTS:**

1. (3) Originals, First Amendment to Capital Cooperative Agreement Certification Project
2. Administrative Resolution AR -2008 supporting the Amended Capital Cooperative Agreement changing the purpose of the project

### **FISCAL IMPACT**

Original budget of \$200,000 is available in Line Item BC03-566585-3005, TRMWY BLVD NOISE ABT-2006. This account title will be changed to Sandia Heights Roadway Improvements-2007.

# STAFF ANALYSIS SUMMARY

## COUNTY MANAGER

See summary. I recommend Board approval. TL 1/2/2008

## DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

The Original legislative appropriation was insufficient to design and construct a sound wall along Tramway Boulevard. Representative Rhem elected to reauthorize the appropriation for roadway improvements in Sandia Heights. I recommend approval of the amended Capital Cooperative Agreement to enable the reauthorization's use for the purpose described. TW 12/17/07

## LEGAL

Amendment to Capital Cooperative Agreement Certification Project in proper format. Approved as to form only. Deborah S. Seligman, Legal 12/20/07

## FINANCE

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|------------------------|--|
| <b>Budget</b>          | There is no fiscal impact with the action of this item. The 2006 legislative project appropriations were budgeted through the 05/06 budget process. The account name for BC03-566585-3005 will be changed to Sandia Heights Roadway Improvements-2007. Elouise Zamora, Financial Services Administrator II 12/14/07  |
| <b>Purchasing</b>      | Proper purchasing procedures will be followed in developing and constructing the El Porvenir Phase 1.A. Drainage Improvements Project as the County will be the lead agency on the project. No comment on the motion to approve financial resolution for the Capital Cooperative Agreement Certification Project. Lisa Sedillo-White, Purchasing Director 12/18/2007 |
| <b>Contracts</b>       | Contract Control Number 2007-0818 has been issued to the First Amendment to the Capital Cooperative Agreement Certification Project. Lisa Sedillo-White, Purchasing Director 12/18/2007  |
| <b>Risk Management</b> | No provision of this Agreement establishes any waiver of immunity from liability for alleged tortuous conduct of any employee of the Department or the County arising from the performance of this Agreement apart from that set forth in the New Mexico Tort Claims Act. David A. Baca, Risk management Director. 12/17/07  |