



Agenda Item Number: 2008-5-7F

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: May 29, 2008

Department: Technical Services **Staff Contact:** Tom Zdunek, DCM for Public Works
Roger Paul, P.E., Technical Services Director
Brad Catanach, P.E., Engineering Manager

TITLE: Southwest Valley Flood Reduction Project

ACTION: Motion to:

1. Approve the Project Cooperation Agreement (PCA) between Bernalillo County, the Department of the Army Corps of Engineer Albuquerque District (COE), and the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) for the design and construction of the Southwest Valley Flood Reduction Project.
2. Authorize the County Manager to execute any future amendments to the Agreement.

SUMMARY:

Public Works staff has been working with the COE to start construction of the Southwest Valley Flood Reduction project. The PCA is required to clarify financial and project responsibilities between the Federal government and the local sponsors (Bernalillo County and AMAFCA). The project authorized by Congress through the Water Resource Development Act of 2007 is for drainage infrastructure within the South Valley.

The authorization requires a 65% Federal to 35% local cost shares for construction, design, rights of way and project management related services. Bernalillo County, AMAFCA, and the COE are currently operating under the Preliminary Engineering and Design (PED) that addresses the design of the project. The new agreement will supersede the PED. The Federal government has committed to a total project cost of \$24,800,000 as part of the PCA; the local sponsor share is \$8,680,000 (35%) which will be divided equally between the County and AMAFCA. The County's share will be funded with County bonds. The Federal government has appropriated \$984,000 in fiscal year 2008 to initiate a construction bid. Full scale construction could start in Federal fiscal year 2009 if funds are appropriated by the Federal government.

The COE is planning a signing ceremony for mid-June, 2008 to coincide with Senator Domenici's schedule and a trip to Albuquerque by John Paul Woodley, Assistant Secretary of the Army for Civil Works.

This project will be awarded and constructed through the Department of the Army's normal procurement process. The County is currently working on purchasing rights of way and will be participating in construction oversight after start of construction.

ATTACHMENTS:

- 1. Area Map
- 2. Four Original Project Cooperation Agreements

FISCAL IMPACT

The County's share (one half) of the local match of \$8,680,000 is \$4,340,000. This share will be provided by a combination of 2004 and 2008 storm drain bonds. Currently a total of \$4,268,586 is available in Line Item BC21-579000-04SD, 2004 Bond Proceeds. The 2008 bond election will request \$3,500,000 for South Valley flood control. The PCA with the COE does not require the County to actually budget any funds at this time. Steven Gregg, 05/06/08

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

County Public Works continues to move forward on the South Valley Flood Reduction Project. This PCA is a critical component with the Corp, allowing this project to proceed. I recommend Board approval. TL 5/23/08

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

The PCA will formalize the Corp of Engineers (COE) commitment to the Southwest Valley Flood Reduction project. The Federal government has committed \$16,129,000 as their portion of the project, with the remaining equally split between the County and AMAFCA. The County will participate with right of way acquisition and construction oversight. I recommend approval. TZ 05-14-08

LEGAL

Approved as to form and legal sufficiency. JSL 5/22/08

FINANCE

- Budget** Approval will allow the County to proceed with the Project Cooperation Agreement (PCA). Although the PCA does not require the County to budget any funds at this time, funding totaling \$4,268,586 is available from BC21-579000-04SD. Stephanie Manzanares, Financial Services Administrator II, 5/07/08
- Purchasing** No comment required. Phillip Lee, Purchasing Administrator 5/7/08
- Contracts** No comment required. Phillip Lee, Purchasing Administrator 5/7/08
- Risk Management** No officer, agent, consultant, or employee of the Non Federal Sponsors, nor any officer, agent, consultant, or employee of the Government, may be charged personally, or held liable, under the terms or provisions of this Agreement because of any breach, attempted breach, or alleged breach thereof, except as provided in Section 912(b) of the Water Resources Development Act of 1986. DLB Claims Manager for David A. Baca, Risk Management Director 5/7/08