



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING A \$245,985.31 INCREASE OF FUNDING FOR THE CA FLAP NEV 40(1) DONNER PASS ROAD PROJECT, AND AUTHORIZING UTILITY AGREEMENT NO.1 WITH AT&T-CORP. FOR RELOCATION OF UTILITIES ON DONNER PASS ROAD IN THE AMOUNTY OF \$245,985.31- DISTRICT V

WHEREAS, the County entered a Memorandum of Understanding (MOU) with Federal Highway Administration, Central Federal Lands Highway Division (CFLHD), by adopting resolution 15-549; and

WHEREAS, during construction, utility conflicts on the Donner Pass Road Project were identified and are anticipated to cost \$491,970.62; and

WHEREAS, ATT-Corp., Level 3 Communications, LLC., ATT-California, and Zayo Group were unable to efficiently and effectively relocate their facilities and are responsible for the cost of relocation efforts; and

WHEREAS, CFLHD is unable to receive funds directly from ATT-Corp., Level 3 Communications, LLC., ATT-California, and Zayo Group; and

WHEREAS, the County adopted Resolution 21-148 agreeing to reimburse Federal Highway Administration Central Land Division (CFLHD) up to \$491,970.62 of funding received from the utility companies for utility relocation work; and

WHEREAS, the expense and revenue for this project is included in the Road Capital Improvement budget for Fiscal Year 2021-22 and a budget amendment is not necessary; and

WHEREAS, AT&T Corp.'s share of the \$491,970.62 cost for utility relocation work is \$245,985.31.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Approves Utility Agreement No.1 with AT&T- Corp, in the amount of \$245,985.31.
2. Funds to be deposited to 1114-30154-702-1000 / 462000.
3. Authorizes the Chair of the Board of Supervisors to execute, on behalf of the County of Nevada, the agreement between Nevada County and AT&T- Corp.