



RESOLUTION No. 23-415

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING FISCAL YEAR 2023/24 REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDING REQUEST IN THE AMOUNT OF \$630,384

WHEREAS, Regional Surface Transportation Program (RSTP) funds are locally administered by the Nevada County Transportation Commission (NCTC); and

WHEREAS, the Nevada County Department of Public Works requests authorization to apply for RSTP funds from NCTC for Fiscal Year 2023/24 to fund the following project:

General Maintenance: \$630,384; and

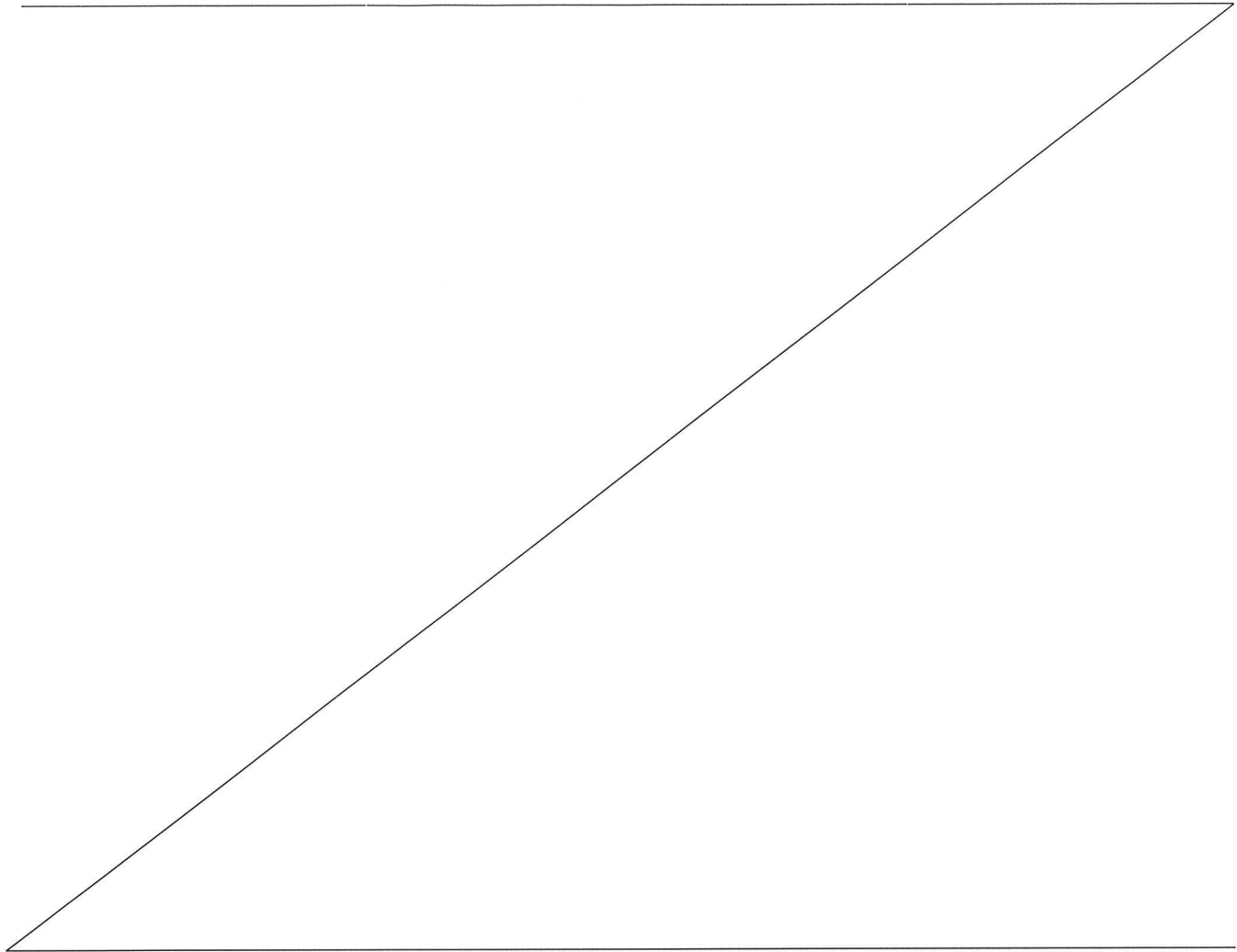
WHEREAS, on April 18, 2023, the Board of Supervisors adopted Resolution 23-155, thereby adopting the Nevada County Department of Public Works Capital Improvement Plan 2023 Annual Update (CIP) and authorized the Director of Public Works to proceed with implementation of the Plan; and

WHEREAS, the new funding request is for a project contained in the approved 2023 CIP Annual Update; and

WHEREAS, funds, when received, shall be deposited into account 1114-30107-703-1000/445303.

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

1. Authorizes the Nevada County Department of Public Works to request RSTP fund allocation from NCTC for General Maintenance Project for a total Fiscal Year 2023/24 RSTP funding request of \$630,384.
2. Authorizes the Chair of the Board to sign the RSTP Exchange Recipient Agreement for Fiscal Year 2023/24.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of August, 2023, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

DANIELA FERNANDEZ – Nevada City City Council
SUSAN HOEK – Nevada County Board of Supervisors
TOM IVY – Grass Valley City Council, Vice Chair
ED SCOFIELD – Nevada County Board of Supervisors, Chair
JAY STRAUSS – Member-At-Large
DUANE STRAWSER – Member-At-Large
JAN ZABRISKIE – Town of Truckee



MICHAEL WOODMAN, Executive Director
AARON HOYT, Deputy Executive Director

Grass Valley • Nevada City

Nevada County • Truckee

File: 500.1, 720.5

July 19, 2023

Heba El-Guindy, Director
County of Nevada Community Development Agency
Department of Public Works
950 Maidu Avenue
Nevada City, CA 95959-8617

SUBJECT: FUNDING AGREEMENT #RSTPNCO071923 BETWEEN THE COUNTY OF NEVADA AND THE NEVADA COUNTY TRANSPORTATION COMMISSION FOR FY 2023/24 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) EXCHANGE FUNDS

Dear Ms. El-Guindy:

This agreement, when countersigned, authorizes the Nevada County Transportation Commission (NCTC) to perform contract management and oversight of the RSTP exchange funds distributed to County of Nevada, hereinafter referred to as “RSTP Exchange Recipient”.

The RSTP Exchange Recipient agrees to the following:

1. To use RSTP exchange funds for projects as authorized under Article XIX of the California State Constitution.
2. Establish a special account for the purpose of depositing therein all payments received from NCTC pursuant to this Agreement: (a) for cities, within their Special Gas Tax Street Improvement Fund, (b) for counties, within their County Road Fund, and (c) for all other sponsors, a separate account.
3. To return RSTP exchange funds to NCTC if the funds received are not used in accordance with the terms of this agreement.
4. Cost Principles
 - a. To comply with Office of Management and Budget Supercircular 2 CFR 200, Cost Principles for State and Local Government and the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
 - b. That (A) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, Et Seq., shall be used to determine the allowability of individual project cost items, and (B) those parties shall comply with Federal Administrative

Procedures in accordance with 2 CFR 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every subrecipient receiving funds as a contractor or subcontractor under this agreement shall comply with Federal administrative procedures in accordance with 2 CFR 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- c. Repay any RSTP exchange fund expenditures for costs that are determined by subsequent audit to be unallowable under Office of Management and Budget Supercircular 2 CFR 200. Any reimburse fund moneys are due within 30 days of demand, or within such other period as may be agreed in writing between the parties.

5. Third Party Contracting

- a. Shall not award a construction contract over \$10,000 or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code Sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed.
- b. Any subcontract or agreement entered into as a result of disbursing funds received pursuant to this agreement shall contain all of the fiscal provisions of this agreement; and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors.
- c. In addition to the above, the pre-award requirements of third-party contractor/consultants should be consistent with Local Program Procedures as published by the California Department of Transportation.

6. Accounting System

- a. Shall establish and maintain an accounting system and records that properly accumulate and segregate fund expenditures by line item. The accounting system, including contractors and all subcontractors, shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices.

7. Right to Audit

- a. For the purpose of determining compliance with this agreement and other matters connected with the performance of contracts with third parties, the RSTP Exchange Recipient, contractors, and subcontractors shall maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times for three years from the date of final payment of funds. The California Department of Transportation, the California State Auditor, or any duly authorized representative of State of California or the United States Department of Transportation, shall each have access to any books, records, and documents that are

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- c. Repay any RSTP exchange fund expenditures for costs that are determined by subsequent audit to be unallowable under Office of Management and Budget Supercircular 2 CFR 200. Any reimburse fund moneys are due within 30 days of demand, or within such other period as may be agreed in writing between the parties.

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**RESOLUTION 23-17
OF THE
NEVADA COUNTY TRANSPORTATION COMMISSION**

**ALLOCATION OF REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)
FUNDS TO THE COUNTY OF NEVADA FOR FY 2023/24**

WHEREAS, the Nevada County Transportation Commission (NCTC) has established an expendable trust fund for Regional Surface Transportation Program (RSTP) funds; and

WHEREAS, NCTC has exchanged its apportionment of federal funds for State Highway Account funds; and

WHEREAS, County of Nevada, through the adoption of Resolution 23-xxx on August 8, 2023, is requesting an allocation of \$630,384 for FY 2023/24 from RSTP funds; and

WHEREAS, as of May 17, 2023, the RSTP (Fund #6492) amount available to allocate for County of Nevada was \$1,116,859.81.

NOW, THEREFORE, BE IT RESOLVED, that NCTC does hereby allocate \$630,384 for FY 2023/24 from the RSTP fund to County of Nevada for projects included in the 2023 Capital Improvement Program, contingent upon receipt of the Board of Supervisors' signed resolution 23-xxx related to this claim, the signed RSTP Subrecipient Funding Agreement, and all finalized claim documents. Payments shall be made upon receipt of invoice(s).

BE IT FURTHER RESOLVED, that NCTC's Executive Director is hereby authorized to execute a RSTP Subrecipient Funding Agreement with County of Nevada and is directed to issue allocation instructions in accordance with this Resolution to the Nevada County Auditor-Controller.

PASSED AND ADOPTED by the Nevada County Transportation Commission on July 19, 2023, by the following vote:

Ayes: Commissioner Hoek, Commissioner Ivy, Commissioner Scofield, Commissioner Strauss, Commissioner Strawser, Commissioner Zabriskie

Noes:

Absent: Commissioner Fernandez

Abstain:



Ed Scofield, Chair
Nevada County Transportation Commission

Attest: 

Dale D. Sayles
Administrative Services Officer

RSTP Available to Allocate

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
5/17/2023	revised for new 22/23 allocations to GV & Truckee													2023/24 BID TARGETS
Jurisdiction Allocation Resolution	Project Title	Total Cash in Prior Year Open Allocations	Cash Available to Allocate 7/1/2022	NCTC Grant Applications	YTD Interest as of 03/31/2023	Est. Population Reso 23-07 5/17/2023	Pop. %	22/23 Bid Targets For 23/24 not yet received	YTD Total Allocations	YTD Allocated Cash Expended	22/23 YTD Cash Returned or Rescinded	Amount Available to Allocate	Cash Remaining in Open Allocations	TOTAL CASH Allocated & Unallocated 5/17/2023
												= Column D + E + F + I - J + L	= Column C + J - K	= Column M + N
1														
2														
3														
4														
5														
6														
7	Reso 23-01	Grass Valley	\$0.00	\$299,478.78	\$4,468.62	13,488	13.39%	\$174,875.74	\$300,000.00	\$0.00	\$0.00	\$178,823.15	\$300,000.00	\$478,823.15
8		22/23 Annual Street Rehab	\$0.00						\$300,000.00				\$0.00	
9			\$0.00											
10			\$0.00											
11	Reso 22-26	Nevada City	\$0.00	\$92,387.25	\$686.51	3,342	3.32%	\$43,329.98	\$92,000.00	\$92,000.00	\$0.00	\$44,403.73	\$0.00	\$44,403.73
12		Commercial Street Phase 2	\$0.00						\$92,000.00	\$92,000.00			\$0.00	
13			\$0.00										\$0.00	
14			\$0.00											
15	Reso 23-02	Truckee	\$0.00	\$1,096,509.18	\$16,361.39	16,676	16.56%	\$216,209.07	\$1,104,561.91	\$0.00	\$0.00	\$224,517.72	\$1,104,561.91	\$1,329,079.63
16		West River Street	\$0.00						\$1,104,561.91				\$1,104,561.91	
17			\$0.00										\$0.00	
18			\$31,609.50	\$728,450.13	\$7,555.12	67,214	66.73%	\$871,448.56	\$490,594.00	\$503,314.00	\$0.00	\$1,116,859.81	\$18,889.50	\$1,135,749.31
19	Reso 19-11	Donner Pass Drainage & Shoulder Maintenance 19/20	\$31,609.50							\$12,720.00			\$18,889.50	
20	Reso 22-25	General Maintenance 22/23	\$0.00						\$490,594.00	\$490,594.00			\$0.00	
21														
22														
23			\$0.00	\$172,437.19	\$2,572.99									
24	Reso 22-34	Nevada County Transportation Commission RTP Update 22/23	\$0.00					\$68,729.65	\$69,997.82	\$0.00	\$0.00	\$173,742.01	\$69,997.82	\$243,739.83
25			\$0.00						\$69,997.82				\$69,997.82	
26													\$0.00	
27		TOTAL	\$31,609.50	\$2,389,262.53	\$31,644.63	100,720	100.00%	\$1,374,593.00	\$2,057,153.73	\$595,314.00	\$0.00	\$1,738,346.43	\$1,493,449.23	\$3,231,795.67

Note: Totals may not equal addition of amounts in columns due to rounding.

KEY
Allocated Cash
Unallocated Cash
Total Cash

The Regional Surface Transportation Program (RSTP) started in 1992. Revenues come from the Federal Transportation Act. Caltrans exchanges the Federal funds on a dollar-for-dollar basis and provides rural agencies with less restrictive State funds. NCTC receives \$800,000 to \$1,000,000 per year. Funds are mainly used for street maintenance and rehabilitation projects. NCTC annually establishes pro rata shares or "bid targets" based on population; however, NCTC has discretion over project selection and can choose to award a jurisdiction more or less than its bid target.

**COUNTY OF NEVADA
AUDITOR-CONTROLLER'S OFFICE
REVENUE INFORMATION RECORD**

Application Award Amendment

Department: Roads Engineering Contact Person & Ext.: Patti Royston x1492

Board Meeting Date: 8/8/2023 Form Completed By: Patti Royston x1492

Program Name: Nevada County RSTP

Purpose: Annual allocation for use of RSTP funds from NCTC

Other Resolution(s) Associated: _____

Contract #: FY 23/24 RSTP General Maintenance Contract dates: 07/01/23 - 06/30/24

Awarding Agency: Nevada County Transportation Commission

Total Grant Amount: \$ 630,384.00 County match amount: \$ -

Amount from Federal: \$ - Funding Type: Advance Reimb.

CFDA#: _____ Federal Grant? Yes No

Single Audit Language? Yes No

Coding: 1114-30107-703-1000 445303 70310001 & 70310002
Org Code Revenue PCN

For Auditor Use Only:

Type of Revenue: _____

Board Reso #: _____ Other Reso Assoc. _____

Grant Log Entered by: _____ Date: _____