

A G R E E M E N T

THIS AGREEMENT, made and entered into by and between the County Engineers Association of California (hereinafter referred to as CEAC), and the City of Culver City, a political subdivision of the State of California (hereinafter referred to as CITY):

W I T N E S S E I H

WHEREAS, CEAC will serve as the lead agency for the development and preparation of the 2018 and 2020 Statewide Local Streets and Roads Needs Assessment Study (hereinafter referred to as STUDY); and

WHEREAS, STUDY is of general interest to CITY and CEAC; and

WHEREAS, COST OF STUDY (as defined herein below) includes the costs of the consultant contract to perform STUDY and costs to administer STUDY; and

WHEREAS, COST OF STUDY is currently estimated to be Five Hundred and Sixty Thousand and 00/100 Dollars (\$560,000.00); and

WHEREAS, Regional Transportation Planning Agencies (RTPAs) and Metropolitan Planning Organizations (MPOs) across the State will contribute up to \$280,500 from their regional shares of Federal Surface Transportation Program Local (STP-L) funds and other funds toward one-half of the COST OF STUDY based on a formula; and

WHEREAS, STP-L funds from MPOs and RTPAs cannot readily be used for the STUDY; and

WHEREAS, California Department of Transportation (CALTRANS) proposes to provide up to Two Hundred Eighty Thousand Five Hundred and 00/100 Dollars (\$280,500.00) STP-L funds, collected from RTPAs and MPOs statewide, to the CITY through Los Angeles County Metropolitan Transportation Authority (LACMTA); and

WHEREAS, LACMTA has credited the above funds to the CITY; and

WHEREAS, CITY and LACMTA have agreed to exchange the above funds from CITY for LACMTA local funds; and

WHEREAS, CITY, upon receipt of LACMTA local funds and execution of this agreement, will provide an equivalent amount of LACMTA local funds up to Two Hundred Eighty Thousand Five Hundred and 00/100 Dollars (\$280,500.00) to CEAC to finance the RTPAs' and MPOs' shares of one-half of the COST OF STUDY; and

WHEREAS, the counties and the cities statewide will each contribute \$137,500, respectively, for a total of \$275,000, toward the remaining one-half of the COST OF STUDY; and

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CEAC and CITY and of the promises herein contained, it is hereby agreed as follows:

(1) DEFINITIONS:

The "COST OF STUDY", as referred to in this AGREEMENT, shall include the cost of the consultant contract, consisting of the total of all payments to the consultant for STUDY, issuance of a Request for Proposals (RFP), consultant contract administration, and all other work necessary to complete STUDY.

(2) CITY AGREES:

- a. To exchange up to Two Hundred Eighty Thousand Five Hundred and 00/100 Dollars (\$280,500.00) towards one-half of the total COST OF STUDY for an equal amount of STP-L funds made available by LACMTA.
- b. To deposit with CEAC, upon execution of this AGREEMENT and receipt of STP-L funds through LACMTA, up to Two Hundred Eighty Thousand Five Hundred and 00/100 Dollars (\$280,500.00).

(3) CEAC AGREES:

To issue the RFP, enter into a contract with a consultant, provide progress payments to the consultant contractor, and perform or cause to be performed all other work necessary to complete STUDY. Such work will be performed by CEAC and within the estimated COST OF STUDY of Five Hundred Sixty Thousand and 00/100 Dollars (\$560,000.00).

(4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. This AGREEMENT may be amended or modified only by mutual written consent of CITY and CEAC. Amendments and modifications of a nonmaterial nature may be made by the mutual written consent of CITY'S Director of Public Works and CEAC'S President or his delegates.
- b. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CEAC: Mr. John Presleigh, President
County Engineers Association of California
Santa Cruz County Department of Public Works
701 Ocean Street, Room 410
Santa Cruz, CA 95060

CITY: Mr. Charles Herbertson
Director of Public Works/City Engineer
City of Culver City
9770 Culver Blvd.
Culver City, CA 90232

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the COUNTY ENGINEERS ASSOCIATION OF CALIFORNIA on _____, 2017, and by the CITY OF CULVER CITY on _____, 2017.

CITY OF CULVER CITY
CITY MANAGER

COUNTY ENGINEERS ASSOCIATION
OF CALIFORNIA

By: _____
John Nachbar
City Manager

By: _____
John Presleigh
President

APPROVED AS TO CONTENT:

CHARLES D. HERBERTSON
Director of Public Works/City Engineer

By: _____

Date: _____

APPROVED AS TO FORM:

CAROL SCHWAB
City Attorney

By: _____

Date: _____