

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 078 –2021**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE ADOPTING CALTRANS LOCAL ASSISTANCE PROCEDURES MANUAL CHAPTER 10: CONSULTANT SELECTION

WHEREAS, WHEREAS, the City of Cloverdale is responsible for constructing transportation projects that are state and federally funded; and

WHEREAS, in order to comply with the Federal regulations and due to limited staffing and expertise, certain services including Architectural and Engineering (A&E) are contracted out to qualified firms; and

WHEREAS, the Federal regulations set forth standards for procuring and administering A&E contracts; and

WHEREAS, the provisions of the Brooks Act (40 United States Code, Section 1104) requires local agencies to award federally funded engineering and design-related contracts, otherwise known as A&E contracts, on the basis of fair and open competitive negotiations, demonstrated competence, and professional qualifications (23 CFR 31.201-3); and

WHEREAS, pursuant to 23 CFR 172.5 (b), local agencies shall develop and sustain organizational capacity and provide the resources necessary for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with Federal-Aid Highway Program funding as specified in 23 U.S.C. 106(g)(4)(A); and

WHEREAS, the provision 23 CFR 172.5 (b)(1) requires local agencies to adopt written policies and procedures for the procurement, management, and administration of engineering and design related consultant services in accordance with applicable Federal and State laws and regulations; and

WHEREAS, the State of California Department of Transportation (Caltrans) has developed the Local Assistance Procedures Manual (LAPM), Chapter 10, Consultant Selection which sets forth policies and procedures to be utilized by local agencies in the procurement and management of A&E contracts on state and federal funded transportation projects to ensure compliance with applicable Federal and State laws and regulations and to maintain eligibility for Federal-Aid reimbursement; and

WHEREAS, the City of Cloverdale has reviewed its purchasing policies to ensure they avoid conflicts of interest in the performance of A&E services for state and federal funded transportation projects; and

WHEREAS, the City of Cloverdale desires to adopt Caltrans's LAPM Chapter 10 as the City's conflict of interest policies for compliance with Federal regulations on the procurement and administration of A&E contracts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cloverdale as follows:

Section 1. The above recitals are true and correct findings of the Cloverdale City Council.

Section 2. The Local Assistance Procedures Manual, Chapter 10, Consultant Selection dated January 2021 or as amended in future updates, is approved and adopted.

Section 3. The A&E Services Administration and Procurement Policies developed by the City of Cloverdale for State and Federal Funded Projects comply with the Local Assistance Procedures Manual, Chapter 10, Consultant Selection.

Section 4. Authorizes the City Manager to approve amendments to the City's adopted A&E Services Administration and Procurement Policies in consultation with the Federal Highways Administration.


The foregoing Resolution No. 078-2021 was duly introduced and adopted by the City Council of the City of Cloverdale at its regular meeting held on the 8th day of September 2021 by the following roll call vote:

Ayes: (5) Councilmembers: Palla, Wolter, Lands, Bagby, Cruz
Noes: (0)
Absent: (0)
Abstaining: (0)

APPROVED:

ATTEST:


Marta Cruz, Mayor


Lori Frontella, Acting City Clerk