

RESOLUTION NO. R- 4381A

A RESOLUTION OF THE KIRKLAND CITY COUNCIL AUTHORIZING THE CITY TO ENTER INTO SUCH CONTRACTS AND AGREEMENTS WITH THE STATE DEPARTMENT OF TRANSPORTATION AS MAY BE NECESSARY AND REQUIRED IN ORDER FOR THE CITY OF KIRKLAND TO RECEIVE "CERTIFICATION ACCEPTANCE" AS QUALIFIED TO ADMINISTER FEDERAL HIGHWAY ADMINISTRATION FUNDED PROJECTS.

WHEREAS, the Federal Government, through its Department of Transportation, pursuant to Title 23 U.S. Code Highways, has established programs for federal aid to the states, the general purpose of which is to increase the capacity and/or safety of arterials in the United States; and

WHEREAS, the Washington State Department of Transportation is responsible for the expenditure of federal funds within the State of Washington; and

WHEREAS, the City of Kirkland and the State of Washington have certain responsibilities as conditions both precedent and subsequent to the receipt of federal funds through various federal programs for such projects on streets and arterials within the City of Kirkland; and

WHEREAS, such federal and state regulations require State authorization, review and approval of the contract plans, specifications, advertisement for bid, and award of contract as to each individual project, unless the local agency has entered into a "certification acceptance qualification agreement"; and

WHEREAS, the obtaining of individual project approvals are, of necessity, time consuming and may result in unforeseen delay; and

WHEREAS, Resolution R-2767 dated November 3, 1980 established the City of Kirkland as a Certification Acceptance (CA) local agency and identified organizational approval authorities and conditions; and

WHEREAS, organizational change since R-2767 has altered staff positions for the City of Kirkland;

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

Section 1. The City Manager of the City of Kirkland is hereby authorized and directed to sign on behalf of the City of Kirkland such contracts and agreements with the Washington State Department of Transportation as may be necessary and required for the City of Kirkland to receive certification acceptance qualification, including execution of the Washington State Department of Transportation "Certification Acceptance Qualification Agreement" (a copy of which is attached hereto and by this reference incorporated herein).

Section 2. Pursuant to the Washington State Department of Transportation policy procedures and

Certification Acceptance Qualification Agreement

AGENCY City of KirklandAGENCY NO. 0625

The agency agrees to comply with the following requirements when developing all Federal Highway Administration (FHWA) projects under Full CA status.

1. Adherence to the *Local Agency Guidelines* and all policies and procedures promulgated by the Washington State Department of Transportation (WSDOT) which accomplish the policies and objectives set forth in Title 23, U.S. Code, Highways, and the regulations issued pursuant thereto.
2. The overall approval authorities and conditions will be as follows:
 - a. The project prospectus will be reviewed and approved by the following official.
City Manager
Position Title Only
 - b. The local agency agreement will be reviewed and approved by the following official or officials.
City Manager
Position Title Only
 - c. The designs and environmental documents will be reviewed and approved by the following state of Washington registered Professional Civil Engineer.
Capital Projects Manager
Position Title Only
 - d. The hearing's findings (if required) will be reviewed and approved by the following official or officials.
Planning Director
Position Title or Titles Only
 - e. The contract plans, specifications and estimate of cost will be reviewed and approved by the following state of Washington registered Professional Engineer.
Capital Projects Manager
Position Title or Titles Only
 - f. Agreements will be signed by the following responsible local official.

(1) Railroad	<u>City Manager</u> Position Title Only
(2) Utility	<u>City Manager</u> Position Title Only
(3) Consultant	<u>City Manager</u> Position Title Only
(4) Technical Services	<u>City Manager</u> Position Title Only
 - g. The award of contract will be signed by the following responsible local official.
City Manager
Position Title Only
 - h. All projects will be constructed in conformance with the Washington State Department of Transportation/American Public Works Association (WSDOT/APWA) current *Standard Specifications for Road, Bridge, and Municipal Construction* and such specifications that modify these specifications as appropriate. Multimodal enhancement projects shall be constructed in conformance with applicable state and local codes.

Certification Acceptance Qualification Agreement

- i. The contract administration will be supervised by the following state of Washington registered Professional Civil Engineer.
Capital Projects Manager
Position Title Only
- j. Construction administration and material sampling and testing will be accomplished in accordance with the *WSDOT Construction Manual and the Local Agency Guidelines*.
3. The agency agrees that they have the means to provide adequate expertise and will have support staff available to perform the functions being subdelegated. The support staff may include consultant or state services.
4. The agency agrees that the signature on each project prospectus and local agency agreement will be consistent with section 2 above.
5. All projects under Certification Acceptance shall be available for review by the FHWA and the state at any time and all project documents shall be retained and available for inspection during the plan development and construction stages and for a three year period following acceptance of the project by WSDOT.
6. Approval of the local agency certification by the Assistant Secretary for Highways and Local Programs may be rescinded at any time upon local agency request or if, in the opinion of the Assistant Secretary for Highways and Local Programs, it is necessary to do so. The rescission may be applied to all or part of the programs or projects approved in the local agency certification.

Mayor

Date

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

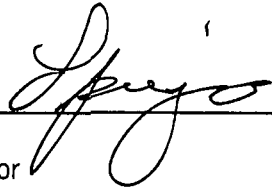
Approved By: _____
Director, Highways and Local Programs

Date

certification acceptance local agency guidelines, the Kirkland City Manager is the designated "responsible local official".

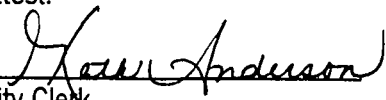
PASSED by majority vote of the Kirkland City Council in open meeting on the 4th day of March, 2003.

SIGNED IN AUTHENTICATION thereof this 4th day of March, 2003.



Mayor

Attest:



Deputy City Clerk