



# BAKERSFIELD

THE SOUND OF *Something Better*

September 8, 2023

Mr. Ahron Hakimi  
Ms. Raquel Pacheco  
Kern Council of Governments  
1401 19<sup>th</sup> Street, Suite 300  
Bakersfield, CA 93301

## **RE: Resolution of Local Support for CMAQ Projects**

Dear Ahron and Raquel,

In July of this year, the City of Bakersfield Public Works Department submitted applications for seven CMAQ projects. Along with the applications, a City Council resolution was included that indicated that the City of Bakersfield:

1. Has the financial capacity to complete, operate, and maintain the projects at the current year cost estimates;
2. Will ensure that funds required from other sources will be reasonably expected to be available in the time frame needed to carry out the projects; and
3. Is authorized to execute and file the applications.

Additionally, the resolution clearly states that City fully commits to providing \$2,780,351 in FY 24-25 and \$4,525,012 in FY 25-26, for a total financial commitment of \$7,305,363.

In preparing the resolution for City Council consideration, Public Works staff went to the Kern County Council of Governments (COG) Project Delivery Policies & Procedures sample resolution (Appendix A). This sample resolution was created to help jurisdictions by providing a framework for an agency-specific resolution. As the Bakersfield resolution was being drafted, staff believed that it was especially important this year to expand the City's adopted resolution with the following key points:

1. Unprecedented inflation on project costs.
2. Consideration of a process by which an agency could modify, or value engineer a project without sacrificing the overall CMAQ project goals so that it may continue to move forward to completion rather than be rejected outright and funding lost; and
3. Consideration of a process by which an agency's CMAQ funding, or a portion thereof, could be used to offset deficiencies within another agency project for that year.

Public Works Department  
1501 Truxtun Avenue, Bakersfield, CA 93301  
661-326-3724 FAX: 661-852-2120



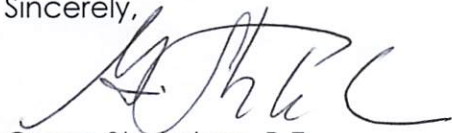
The importance for agency Resolutions remains, but since the original Resolution was developed in 2017, cities and counties are facing new and unique challenges. Making note of these realities is timely and important, particularly to spur conversation and awareness from the local agency level all the way to the Federal level. A similar grant program, the Active Transportation Project (ATP), has some limited flexibility through the California Transportation Commission. The CMAQ program might consider processes with a greater degree of flexibility in delivering a project without compromising the overall CMAQ project goal stated within a project's application. Details such as material type, location (in some cases), color, size, quantity, etc. should not be completely governed by what is contained in an application with conceptualized details, but rather by achieving the CMAQ goals related to congestion mitigation and air quality improvements.

It's our hope to raise awareness of today's challenges through the City's Resolution of commitment and stimulate conversations that leads to possible process and rule changes for CMAQ that provide some degree of flexibility in how 3 - 5-year-old grant applications, submitted with conceptual plans, get built given the circumstances at the time of bidding and construction. Design flexibility and value engineering should be concepts for consideration.

Other agencies may have had similar or other unique experiences in facilitating CMAQ grant projects. If so, they too may be interested in updates to the resolution template contained within the Kern COG Project Delivery Policies & Procedures, as well as any processes by which CMAQ may be facilitated locally. It is our hope to further discuss ways to facilitate and expedite CMAQ projects at a future Technical Advisory Committee meeting.

In conclusion, the Department's purpose for custom-fitting the COG's sample resolution for Bakersfield is to raise awareness for needed flexibility in delivering CMAQ projects without jeopardizing the overall CMAQ goals. The City's financial commitment is clearly stated in its Resolution, and with it, an acknowledgment that we continue to look for flexibility in delivering projects subject to significant cost escalations. It's our hope that this Department can work with COG staff and other agencies to modernize Federal processes, rules, conditions, and interpretations that were created decades ago for CMAQ. Thank you for this opportunity to explain the City's adopted CMAQ Resolution.

Sincerely,



Gregg Strakaluse, P.E.  
Public Works Director – City of Bakersfield

Cc: Mr. Jay Schlosser, Chairman TTAC

Public Works Department  
1501 Truxtun Avenue, Bakersfield, CA 93301  
661-326-3724 FAX: 661-852-2120

