

Resolution No.: 16-338
 Introduced: September 18, 2007
 Adopted: October 9, 2007

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY07-12 Capital Improvements Program and Supplemental Appropriation #2-A08-CMCG-1 to the FY08 Capital Budget Montgomery County Government Department of Public Works and Transportation US 29 Sidewalks (No. 509997), \$1,474,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
US 29 Sidewalks	509997	Planning, Design, & Supervision	\$114,000	
		Land	(\$200,000)	
		Site Improvements & Utilities	\$60,000	
		Construction	\$1,500,000	
TOTAL			\$1,474,000	G.O. Bonds

4. The recommended amendment is consistent with the criteria for amending the CIP because the increase is greater than ten percent of the project total. This increase is needed because:
- a) Current project cost is based on a cost estimate from 2004
 - b) Escalation of construction costs
 - c) Actual bids exceed the original construction cost estimate
 - d) Management costs have been evaluated and increased
 - e) Site improvement and utility relocation costs have been evaluated and increased

The request is for additional funds to cover the construction cost plus the cost to manage the project and administer the contract. It also reflects a reduction in the land cost element on the basis of final settlements.

5. The County Executive recommends an amendment to the FY07-12 Capital Improvements Program and a supplemental appropriation in the amount of \$1,474,000 for US 29 Sidewalks (No. 509997), and specifies that the source of funds will be GO Bonds.
6. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY07-12 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
US 29 Sidewalks	509997	Planning, Design, & Supervision	\$114,000	
		Land	(\$200,000)	
		Site Improvements & Utilities	\$60,000	
		Construction	\$1,500,000	
TOTAL			\$1,474,000	G.O. Bonds

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**ATTACHMENT TO RESOLUTION 16-338
U.S. 29 Sidewalks -- No. 509997**

Category
Agency
Planning Area
Relocation Impact

**Transportation
Public Works & Transportation
Silver Spring
None.**

Date Last Modified
Required Adequate Public Facility

**August 31, 2007
NO**

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY06	Rem. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	1,580	1,139	0	441	98	161	182	0	0	0	0
Land	230	96	0	134	102	32	0	0	0	0	0
Site Improvements and Utilities	111	1	0	110	3	30	77	0	0	0	0
Construction	3,655	155	0	3,500	52	1,724	1,724	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	5,576	1,391	0	4,185	255	1,947	1,983	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	4,691	888	0	3,803	255	1,756	1,792	0	0	0	0
Contributions	35	35	0	0	0	0	0	0	0	0	0
State Aid	850	468	0	382	0	191	191	0	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

DESCRIPTION

This project provides for the engineering of missing segments of sidewalk along the east side of US 29 between University Boulevard and Prelude Drive, as well as missing segments of sidewalk on the east side of Lockwood Drive between US 29 and New Hampshire Avenue. The scope includes right-of-way acquisition for and construction of 1,000 feet of missing sidewalk along the east side of US 29 between Lockwood Drive and Burnt Mills Avenue, 2,700 feet of missing sidewalk along the east side of US 29 between Lorain Avenue and the bridge over Northwest Branch, 700 feet of missing sidewalk links along the east side of Lockwood Drive between US 29 and New Hampshire Avenue and the overlay of the existing sidewalk on the west side of Lockwood Drive from New Hampshire Avenue to Oak Leaf Drive. The project includes the construction of retaining walls to reduce impacts to properties and vegetation adjacent to the public right-of-way and preliminary engineering for missing segments of sidewalk along the west side of US 29 between Burnt Mills Avenue and Southwood Avenue.

Service Area

Silver Spring

JUSTIFICATION

The project provides continuity of pedestrian movement along Lockwood Drive between US 29 and New Hampshire Avenue. Major pedestrian generators within the project limits include: connection to Montgomery Blair High School, commercial and business centers, several places of worship, an elementary school, a swim center, several bus stops, and numerous residences.

Plans and Studies

White Oak and Four Corners Master Plans. A pedestrian impact analysis has been completed for this project.

Cost Change

Cost increase is due to escalation of construction costs, bids exceed the original construction cost estimate, and management, site improvements, and utility costs were evaluated and increased.

STATUS

Bids let.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY99	(\$000)
Initial Cost Estimate		1,000
First Cost Estimate		
Current Scope	FY05	3,820
Last FY's Cost Estimate		4,102
Present Cost Estimate		5,576
Appropriation Request	FY08	0
Supplemental		
Appropriation Request	FY08	1,474
Transfer		0
Cumulative Appropriation		4,102
Expenditures/		
Encumbrances		3,536
Unencumbered Balance		566
Partial Closeout Thru	FY05	0
New Partial Closeout	FY06	0
Total Partial Closeout		0

COORDINATION

Maryland-National Capital Park and Planning Commission
Maryland State Highway Administration

The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

MAP

See Map on Next Page