
Deputy Directive

Number: DD-102

*Refer to
Director's Policy:* DP-07
Project Delivery
DP-10
Department Commitments

Effective Date: 11/5/09

Supersedes: NEW

TITLE Cooperative Agreements

POLICY

Cooperative Agreements are required when the California Department of Transportation (Department) and a local agency or transportation partner are sharing responsibilities or funding for the delivery of a project on the State Highway System.

Each project that requires a Cooperative Agreement shall have a flag in the project work plan establishing the date that the Cooperative Agreement must be fully executed (CAM date).

All Cooperative Agreements must be initiated with a Request for a Cooperative Agreement (RCA). To achieve a timely Cooperative Agreement, the RCA must be completed no later than six months prior to the CAM date.

A fully executable Cooperative Agreement must be provided to the Local Agency within 60 days of completing the RCA. The local agency or transportation partner is provided 120 days to execute the Cooperative Agreement.

The Cooperative Agreement must be fully executed before beginning any work or exchange of funds covered in the Cooperative Agreement.

DEFINITION/BACKGROUND

Cooperation between the Department, local agencies, and other entities is authorized by Streets and Highway Code, sections 114 and 130. A Cooperative Agreement is a legally binding agreement between the Department and one or more partners that describes the responsibilities of each party for delivery of components of a capital improvement project.

It is the Department's goal to complete Cooperative Agreements within 60 days. This directive provides a course of action to assure timely delivery of Cooperative Agreements.

RESPONSIBILITIES

Deputy Director of Project Delivery:

- Ensures policy and procedures are developed to implement this Deputy Directive.
- Reports performance measures to the Director.

District Directors:

- Assign responsibility for negotiation of and preparation of Cooperative Agreements within the district.
- Execute Cooperative Agreements.
- Resolve requests by local entities for non-standard Cooperative Agreement language with responsible Headquarters (HQ) Division Chiefs.

Chief, Division of Design:

- Develops policies and procedures to implement this Deputy Directive.
- Tracks and reports statewide performance to the Deputy Director of Project Delivery.
- Coordinates the development of standard Cooperative Agreement language in conjunction with districts, HQ capital delivery divisions, Accounting, Legal, local entities, and others as necessary.
- Assists the districts in obtaining approval for non-standard Cooperative Agreement language with HQ capital delivery divisions, Accounting, Legal, and others as necessary.
- Coordinates review and approval of Cooperative Agreements by HQ functional units, Legal, Accounting, and others as necessary.
- Develops and maintains tools for Cooperative Agreement development.

HQ Division Chiefs:

- Develop standard Cooperative Agreement language related to the division's functional responsibility.
- Assist the districts in obtaining approval for non-standard Cooperative Agreement language.

APPLICABILITY

All departmental employees.

Cindy Mckim

CINDY MCKIM
Chief Deputy Director

11/5/2009

Date Signed