

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

316  
A



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
May 26, 2010

**SUBJECT:** Indian Avenue at Interstate 10 Interchange Project - Amendment No. 7 to the Reimbursement Agreement between the County of Riverside (COUNTY), City of Palm Springs (CITY) and the Coachella Valley Association of Governments (CVAG)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve and execute the attached Amendment No. 7 to the Reimbursement Agreement between the COUNTY, CITY and CVAG, and;
2. Authorize the use of up to \$215,000 of Development Impact Fee (DIF) Roads, Bridges and Major Improvement Fund for the Coachella Western Area (Fund 30508) for costs associated with improvements to the Indian Avenue at Interstate 10 Interchange, and;

Juan C. Perez  
Director of Transportation

CW:cw  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 18,442,835	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009/10
<b>SOURCE OF FUNDS:</b> CVAG (93.05%) and DIF Major Imp Fund 30508 (6.95%)				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

County Executive Office Signature

Policy  
 Policy

Consent  
 Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref. 2/26/02 (3.64),  
11/18/03 (3.38), 9/18/07 (3.64),  
5/10/08 (3.43)

District: 5      Agenda Number:  
ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

3.66

FORM APPROVED COUNTY COUNSEL  
BY:   
MARSHAL VICTOR  
DATE: 6/15/10

Departmental Concurrence

The Honorable Board of Supervisors

RE: Indian Avenue at Interstate 10 Interchange Project - Amendment No. 7 to the Reimbursement Agreement between the County of Riverside (COUNTY), City of Palm Springs (CITY) and the Coachella Valley Association of Governments (CVAG)

May 26, 2010

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3. Direct the Executive Office to transfer up to \$215,000 from Development Impact Fee Roads, Bridges and Major Improvement Fund for the Coachella Western Area (Fund 30508) to the Transportation Department as needed, pursuant to contracts and billings received for improvements to the Indian Avenue at Interstate 10 Interchange.

**BACKGROUND:** The Indian Avenue at Interstate 10 Interchange project is an identified high priority facility in CVAG's Regional Arterial Program.

Amendment No. 7 allocates an additional \$1,364,272, for the lead agency, the City of Palm Springs, for the design and construction of the project. This increases the total project cost for this agreement to \$18,442,835 which includes utilizing Coachella Valley 2002 STIP formula Funds.

In addition, the project has received \$5,517,500 of American Recovery and Reinvestment Act of 2009 (Federal Stimulus Funds) funding for the construction of the project.

Based on the original agreement, CVAG will advance funds for this project and the COUNTY and CITY shall reimburse CVAG for their share of the costs as defined in the agreement. The COUNTY's share for this amendment is \$94,960 which is 6.95% of cost for this amendment.

The total COUNTY share for this project is estimated to be \$215,000. With award of a contract for construction, project cost shares are now more certain. The County desires to designate Development Impact Fee (DIF) Roads, Bridges and Major Improvement Fund for the Coachella Western Area (Fund 30508) as the fund source for the total COUNTY's share of project costs. The funds will be due at after the completion of the project, estimated in spring 2012.

The Development Impact Fee (DIF) program, which is governed under Ordinance 659.6, allows for the use of DIF funds for those facilities identified on the Public Facilities Needs List to the Year 2010, in which the Indian Avenue at Interstate 10 Interchange project is included.

Project No: A8-0372

# COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Contract No. 01-01-011 A7  
Riverside Co. Transportation

## AMENDMENT NUMBER SEVEN

### CITY OF PALM SPRINGS – COUNTY OF RIVERSDIE - CVAG REIMBURSEMENT AGREEMENT

#### INDIAN AVENUE/ INTERSTATE 10 INTERCHANGE PROJECT

THIS **AMENDMENT NUMBER SEVEN** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between the **Coachella Valley Association of Governments**, a California joint powers agency, (**CVAG**), the **City of Palm Springs (Lead Agency)** and the **County of Riverside**, and is made with reference to the following background facts and circumstances. All other provisions in the existing Reimbursement Agreement, and Amendments One through Six, inclusive, for the Indian Avenue/ Interstate 10 Interchange Project, remain in force.

This Amendment Number Seven obligates the estimated funds necessary to eliminate the anticipated funding shortfall to construct the Indian Avenue/ Interstate 10 Interchange Project.

The revised estimated cost for the Indian Avenue/ Interstate 10 Interchange Project is presently \$28,800,000.

This Amendment Number Seven confirms that all submitted payment requests must be eligible for reimbursement by CVAG as outlined in the CVAG Policies and Procedures Manual for the Regional Arterial Program, as adopted March 29, 2010.

**This Amendment Number Seven shall obligate additional funds in the amount of \$1,364,272 to eliminate the estimated shortfall to construct the Indian Avenue/ Interstate 10 Interchange Project.**

#### Summary

Previously obligated and authorized for expenditure (Original Agreement)	\$ 943,843
Amendment Number One	\$ 9,000
Amendment Number Two	\$ 15,300,000
Amendment Number Three	\$ 50,000
Amendment Number Four	\$ 50,000
Amendment Number Five	\$ 340,720
Amendment Number Six	\$ 385,000
<b>Amendment Number Seven</b>	<b>\$ 1,364,272</b>

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Number Seven to be executed by their duly authorized representatives on this date:

ATTEST:

CITY OF PALM SPRINGS

By: James Thompson  
City Clerk

By: [Signature]  
CITY MANAGER

APPROVED AS TO FORM  
[Signature]  
City Attorney

APPROVED BY CITY COUNCIL  
5-5-10 JE A437

Date 05-27-2010

ATTEST:

COUNTY OF RIVERSIDE

By: \_\_\_\_\_  
Clerk of the Board

By: \_\_\_\_\_

ATTEST:

CVAG

By: \_\_\_\_\_  
Tom Kirk,  
Executive Director

By: [Signature]  
Stephen Pognet  
CVAG Chair

**COACHELLA VALLEY ASSOCIATION of GOVERNMENTS**

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Number Seven to be executed by their duly authorized representatives on this date:

**ATTEST:**

**CITY OF PALM SPRINGS**

By: \_\_\_\_\_

By: \_\_\_\_\_

City Clerk

**ATTEST:**

**COUNTY OF RIVERSIDE**

By: \_\_\_\_\_

By: \_\_\_\_\_

Clerk of the Board

**ATTEST:**

**CVAG**

By: \_\_\_\_\_

By: \_\_\_\_\_

Tom Kirk,  
Executive Director

Stephen Pougnet  
CVAG Chair

FORM APPROVED COUNTY COUNSEL  
BY: SP Victor  
MARSHAL VICTOR  
DATE: 6/15/10