

FORM APPROVED COUNTY COUNSEL
 BY: MARSHAL L. VICTOR 7/13/10
 DATE

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

736 A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
 July 29, 2010

SUBJECT: Miles Avenue Bridge and Clinton Street Construction Project - Amendment No. 1 to the Funding Agreement between the County of Riverside (COUNTY), City of Indio (CITY) and the Coachella Valley Association of Governments (CVAG)

RECOMMENDED MOTION: That the Board approve the attached Amendment No. 1 to the Funding Agreement between the COUNTY, CITY and CVAG for the above reference project, and authorize the Chairman to execute the same.

BACKGROUND: On September 4, 2007, the Board executed a funding agreement between the COUNTY, CITY and CVAG which provided \$22,000,000 in total project funds for the Miles Avenue and Clinton Street widening project. The funding agreement includes a provision for CVAG to fund 75% of the total project costs and for CVAG to provide a loan to the COUNTY for

Juan C. Perez
 Director of Transportation

(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 22,100,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

SOURCE OF FUNDS: TUMF [CVAG] (75%), City of Indio (12.5%), DIF (12.5% paid back over 10 years)	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
 Tina Grande

County Executive Office Signature

Policy
 Policy
 Consent
 Consent
 Dept't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref. 7/10/01 Item 3.58, District: 4 Agenda Number:
 9/4/07 Item 3.39

3.69

The Honorable Board of Supervisors

RE: Miles Avenue Bridge and Clinton Street Construction Project - Amendment No. 1 to the Funding Agreement between the County of Riverside (COUNTY), City of Indio (CITY) and the Coachella Valley Association of Governments (CVAG)

July 29, 2010

Page 2 of 2

funding of the COUNTY's portion of the project with reimbursement to be made, by the COUNTY, over a period of 10 years.

This Amendment provides an additional \$100,000 of funding for the project and increases CVAG's contribution to the project in an amount not to exceed \$75,000. Based upon the original agreement, the CITY and COUNTY will fund \$12,500 each, which is their share of the project costs.

Project No. B2-0389

AMENDMENT NUMBER 1
for the

Agreement for the Miles Avenue Bridge and Clinton Street Construction Project

County of Riverside – City of Indio – CVAG

THIS AMENDMENT NUMBER 1 is made and entered into this _____ day of _____, 20__, by and between the **County of Riverside (Lead Agency), the City of Indio (“Agency”)** and the **Coachella Valley Association of Governments**, a California joint powers agency, (“CVAG”).

This amendment approves additional work and obligates and authorizes for expenditure, funds not previously authorized under the terms of the existing Reimbursement Agreement, approved by CVAG’s Executive Committee on June 4, 2007. This Amendment Number 1 authorizes additional work as shown on Exhibit A – Scope of Work. This Amendment Number 1 increases CVAG contribution to this project by an amount not to exceed \$75,000 as shown in Exhibit B – Estimate of Cost. All other provisions of the original Reimbursement Agreement remain in force.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Number 1 to be executed by their duly authorized representatives on this date:

ATTEST:

COUNTY OF RIVERSIDE

BY: _____
Clerk of the Board of Supervisors

By: _____
Chairman of the Board of Supervisors

ATTEST:

CITY OF INDIO

By: _____
City Clerk

By: _____
Mayor

ATTEST:

CVAG

By: _____
Tom Kirk
Executive Director

By: _____
CVAG Chair

FORM APPROVED COUNTY COUNSEL
BY: R. B. V. K. A. F. O. DATE 7/23/10
MARSHAL VICTOR

EXHIBIT A
for

AMENDMENT NUMBER 1
to the

SCOPE OF WORK
for the

Agreement for the Miles Avenue Bridge and Clinton Street Construction Project

County of Riverside - City of Indio - CVAG

In June, 2007, the Executive Committee approved an agreement with the City of Indio and Riverside County to fund the cost of constructing a bridge across the Whitewater River channel on Miles Avenue, and to improve Miles Avenue to Clinton Street, then north on Clinton Street to Fred Waring Drive. The Agreement provided for an estimated construction cost of \$22 Million, with costs to be shared through the typical funding arrangement of 75% CVAG Regional Funds/ 25% Local Funds. Construction on the project began in June, 2008.

As part of the pre-construction investigations, it was discovered that the location of an existing waterline, owned and maintained by the Boe-Del Heights Mutual Water Association, within the Miles Avenue portion of the work was in conflict with the proposed improvements and must be relocated. Further examination of the existing waterline indicated that given the age and condition of the pipeline, it would be more efficient to replace the waterline with new material, in a different location. The County estimates that the cost to replace and relocate the conflicting waterline, estimated at \$100,000.

EXHIBIT B
for

AMENDMENT NUMBER 1
to the

ESTIMATE OF COST
for the

Agreement for the Miles Avenue Bridge and Clinton Street Construction Project

County of Riverside - City of Indio - CVAG

Original Reimbursement Agreement - Total Project Cost	\$22,000,000.00
Amendment Number 1 - Total Estimated Cost	<u>\$ 100,000.00</u>
	\$22,100,000.00
 CVAG Regional Share (75%) - Not to Exceed	 \$16,575,000.00

By separate agreement, the County of Riverside and the City of Indio have agreed to evenly divide the Local Share (25%) of project costs.

County of Riverside - Not to Exceed	\$ 2,712,500.00
City of Indio - Not to Exceed	\$ 2,712,500.00