

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

101A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
September 1, 2010

SUBJECT: Amendment No. 1 to the Agreement between the County of Riverside (COUNTY) and the City of Canyon Lake (CITY) for roadway improvements on Newport Road, Railroad Canyon Road, and Goetz Road.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to the Agreement between the County of Riverside (COUNTY) and City of Canyon Lake (CITY) for roadway improvements on Newport Road, Railroad Canyon Road and Goetz Road (PROJECT) in the "Audie Murphy Ranch" development, and;
2. Authorize the chairman to execute same.

Juan C. Perez
Director of Transportation

JCP:nn
(Continued On Attached Page)

FORM APPROVED COUNTY COUNSEL
BY: M. S. Victor 8/19/10 DATE
MARSHAL L. VICTOR

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 210,150	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/2011

SOURCE OF FUNDS: TUMF - Central zone [WRCOG] (61%), Bond Proceeds (39%)	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

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

Prev. Agn. Ref. 2/9/10, item 3.60 | **District:** 3 | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.38

The Honorable Board of Supervisors

RE: Amendment No. 1 to the Agreement between the County of Riverside (COUNTY) and the City of Canyon Lake (CITY) for roadway improvements on Newport Road, Railroad Canyon Road, and Goetz Road.

September 1, 2010

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BACKGROUND: The master developer of the "Audie Murphy Ranch" filed for a bankruptcy and left various roads within this development incomplete. These roads need to be completed in order to open them for public use. Strong interest has been expressed by the public and by officials of the City of Menifee and the City of Canyon Lake to complete the improvements of Newport Road, Railroad Canyon Road and Goetz Road. The work on Newport Road is now mostly complete and is open to traffic. The necessary improvements left consist of the construction of a pre-cast bridge on Goetz, pavement, drainage facilities, modification of several traffic signals and associated connection work to Newport. The majority of the construction improvements are within the City of Menifee and the Goetz portion within the westerly segment is in the City of Canyon Lake. Both cities fully support the County's effort to complete the roadway construction.

By Minutes Order dated February 9, 2010 (agenda item 3.60) the Board approved the Agreement between the COUNTY and CITY for road improvements on Newport Road, Railroad Canyon Road and Goetz Road in the "Audie Murphy Ranch" development. The agreement allows County to reimburse the City for the expenses incurred up to \$104,000 for the preparation of the bid package for the project.

During bidding the Newport phase of the PROJECT, the CITY incurred costs for additional engineering services necessary to complete the final design package, modifications to specifications and cost estimates, preparation of right of entries and permanent easement agreements, utility coordination and support. This was a very difficult project to bid out since the plans had been prepared as one set for bidding by the developer, and they needed to be completed and segregated into two separate sets to allow the work on Newport to proceed while the bridge design on Goetz was completed and environmental permits obtained. This amendment to the agreement will allow the COUNTY to reimburse the CITY for these expenses. The additional amount of \$106,150 (including 10% contingencies) will bring the agreement total to \$210,150.

Project No.: A2-0750

Amendment No. 1 To Agreement (Improvements on Newport Rd, Railroad Canyon Rd and Goetz Rd Connection)

AMENDMENT NO. 1 TO AGREEMENT

By and between Riverside County and City of Canyon Lake

For

Improvements on Newport Road, Railroad Canyon Road and Goetz Road Connection

THIS AMENDMENT (hereinafter the "Amendment") to an agreement is made and entered into as of this _____ day of _____, 2010, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and City of Canyon Lake, (hereinafter the "CITY") for the improvements on Newport Road, Railroad Canyon Road and Goetz Road (hereinafter the "PROJECT").

RECITALS

A. COUNTY and CITY have entered in an agreement entitled "Agreement By and Between Riverside County and City of Canyon Lake for Improvements on Newport Road, Railroad Canyon Road and Goetz Road" that is dated February 9, 2010 (hereinafter the "Agreement"). The Agreement provides the terms and conditions under which the said PROJECT will be administered, engineered, coordinated, managed, and financed.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the COUNTY and the CITY agree as follows,

1. To amend the reimbursement amount to the CITY from One Hundred and Four Thousand Dollars (\$104,000) to Two Hundred Ten Thousand One Hundred and Fifty Dollars (\$210,150) including 10% contingencies for the engineering services to provide necessary modifications to the final design package, specifications & cost estimate, assistance in the preparation of right of entries (ROEs) and permanent easements, and utility coordination and support.
2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.

IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed this day and year first written above.