

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



415A

FROM: TLMA - Transportation Department

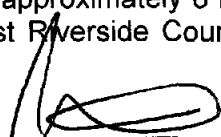
SUBMITTAL DATE:

April 21, 2011

SUBJECT: Amendment No. 1 to the Construction Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for Phase 2, SR 79 - Thompson Road to Scott Road

RECOMMENDED MOTION: That the Board approve and execute the attached Amendment 1 to the Construction Cooperative Agreement between the State of California and the County of Riverside and authorize the Chairman to execute the same (Caltrans Agreement No. 08-1485 A/1).

BACKGROUND: The proposed project consists of widening SR-79 from Thompson Road to Domenigoni Parkway from two to four lanes for approximately 8 miles. Winchester Road (SR-79) is a major north-south corridor in Southwest Riverside County. This project will improve

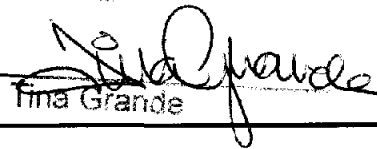

Juan C. Perez
Director of Transportation

(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/2012

SOURCE OF FUNDS:	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

FORM APPROVED COUNTY COUNSEL
BY: 
MARSHA L. VICTOR
DATE: 4/14/11

Departmental Concurrence

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

Prev. Agn. Ref. 2/08/11 (3.30) | District: 3 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.55

The Honorable Board of Supervisors

RE: Amendment No. 1 to the Construction Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for Phase 2, SR 79 - Thompson Road to Scott Road

April 21, 2011

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travel through the corridor and ease congestion caused by the significant increase in traffic volume. The project environmental document was approved on December 28, 2010.

On February 8, 2011 the Board of Supervisors approved the Caltrans Construction Cooperative agreement, No. 08-1485 which outlined each agency's responsibility for the construction of the improvements on Phase 2, SR 79 from Thompson Road to Scott Road.

Caltrans has requested that language be added to the original agreement that designates the County as the Legally Responsible Person and Approved Signatory Authority for construction as indicated in the attached Agreement Amendment. All other terms of the original agreement remain in effect.

The County is in the process of completing our right-of-way acquisitions for this Phase 2, and we anticipate going to construction this Fall with this phase.

Project No. B40527

Contract No. 11-01-018 A1
Riverside Co. Transportation

08-RIV-79-R8.4/R12.2

EA: 46462

District Agreement 08-1485 A/1

Project Number 0800001042

AMENDMENT NO.1 TO AGREEMENT 08-1485

THIS AMENDMENT No. 1 (AMENDMENT), entered into and effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and

County of Riverside, a political subdivision of the State of California, referred to as COUNTY.

RECITALS

1. CALTRANS and COUNTY collectively referred to as PARTNERS, entered into Agreement No. 08-1485, (AGREEMENT) on March 3, 2011, defining the terms and conditions for improvements consisting of widening State Route 79 in Riverside County from Thompson Road to Scott Road from two to four lanes, for approximately 4 miles.
2. PARTNERS now seek to add language for the Legally Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.

IT IS THEREFORE MUTUALLY AGREED:

1. Article 48 in the AGREEMENT is replaced in its entirety to read as follows:

“48. COUNTY will advertise, open bids, award, and approve the construction contract in accordance with the California Public Contract Code and the California Labor Code.

COUNTY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and SPONSOR verifies full funding of CONSTRUCTION SUPPORT and CONSTRUCTION CAPITAL.

By accepting responsibility to advertise and award the construction contract, COUNTY also accepts responsibility to administer the construction contract.

PARTNERS agree that COUNTY is designated as the Legally Responsible Person and the Approved Signatory Authority pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.”

2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
3. This AMENDMENT is deemed to be included and made part of the AGREEMENT.

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.


STATE CALIFORNIA DEPARTMENT
OF TRANSPORTATION

COUNTY OF RIVERSIDE

By: _____
Raymond W. Wolfe, PhD
District Director

By: _____
Chairman, Board of Supervisors

APPROVED AS TO FORM AND
PROCEDURE:

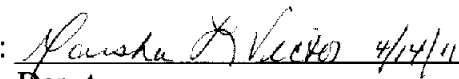
By:  _____
Attorney
Department of Transportation

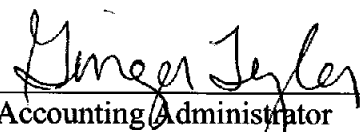
By: _____
Kecia Harper-Ihem
Clerk of the Board

CERTIFIED AS TO FUNDS:

APPROVED AS TO FORM AND
PROCEDURE:
Pamela J. Walls
County Counsel

By: _____
Lisa Pacheco
Budget Manager

By:  4/14/11
Deputy

By:  _____
Accounting Administrator